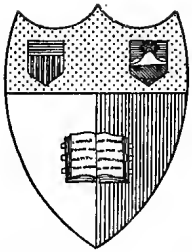

SUTHERLAND AND CAITHNESS IN SAGA-TIME

OR

THE JARLS AND THE FRESKYNS.

SUTHERLAND AND CAITHNESS IN SAGA-TIME

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BY

JAMES GRAY, M.A. OXON.

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PREFACE.

ORIGINALLY delivered as a Presidential Address to The Viking Society for Northern Research, the following pages, as amplified and revised, are published mainly with the object of interesting Sutherland and Caithness people in the early history of their native counties, and particularly in the three Sagas which bear upon it as well as on that of Orkney and Shetland at a time regarding which Scottish records almost wholly fail us.

When, however, these records are extant, use has been made of them together with later books upon them, of which a list follows, and to which references are given in the notes.

A special effort has been made to deal with the vexed question of the succession to the Caithness Earldom after Earl John's death in 1231, with the pedigree of the first known ancestors of the House of Sutherland, and with the mystery of the descent of Lady Johanna of Strathnaver.

Acknowledgments of assistance received are tendered to the writers of the books above referred to, but thanks are specially due to Mr. A. W. JOHNSTON, Founder and Past President of the Viking Society, for numerous hints, and for making the Index; to Mr. JON STEFANNSON for reading the manuscript; and to Mr. ALAN O. ANDERSON, whose knowledge of the English and Scottish Records of the period is as accurate as it is extensive, and who has made several valuable suggestions.

But for the opinions expressed no one save the writer is responsible, and, where records are scanty, much has necessarily been left to conjecture.

J. G.

53 MONTAGU SQUARE,
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TABLE OF CONTENTS.

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NOTE.—Since this little book was printed, the above great work has appeared. To the student of the Norse invasions its value is inestimable.

ERRATA.

Page 1, line 13, for "they" read "Man."

„ 28, line 9, for "or" read "of."

„ 40, line 23, for "Kundason" read "Hundason."

„ 42, line 24, after "note" reference [14] omitted.

„ 50, line 17, for "mainland of" read "Unst in."

„ 65, line 35, for "burnings" read "revenges."

„ 65, line 37, for "burnt" read "killed."

„ 87, line 18, for "Earl Ragnvald" read "Jarl Ragnvald."

„ 104, lines 4 and 5, for "Magnus' great-grandson's granddaughter's husband" read "Magnus' granddaughter's great-grandson."

„ 117, line 16, omit "a child of."

SUTHERLAND AND CAITHNESS IN SAGA-TIME

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CHAPTER I.

Introductory.

IN the following pages an attempt is made to fit together facts derived, on the one hand, from those portions of the Orkneyinga, St. Magnus and Hakonar Sagas which relate to the extreme north end of the mainland of Scotland, and, on the other hand, from such scanty English and Scottish records, bearing on its history, as have survived, so as to form a connected account, from the Scottish point of view, of the Norse occupation of most of the more fertile parts of Sutherland and Caithness from its beginning about 870 until its close, when these counties were freed from Norse influence, and they and the Hebrides were incorporated in the kingdom of Scotland by treaty with Norway in 1266.

References to the authorities mentioned above and to later works bearing on the subject have been inserted in the hope that others, more leisured and more competent, may supplement them by further research, and convert those portions of the narrative which are at present largely conjectural from story into history.

What manner of men the prehistoric races which in early ages successively inhabited the northern end of the Scottish mainland may have been, we can now hardly imagine. Dr. Joseph Anderson's classical volumes[1] on *Scotland in Pagan Times* tell us something, indeed all that can now be known, of some of

them, and in the Royal Commission's[2] *Reports and Inventories of the Early Monuments* of Sutherland and of Caithness respectively, Mr. Curle has classified their visible remains, and may, let us hope, with the aid of legislation, save those relics from the roadmaker or dykebuilder. Lastly, such superstitions, or survivals of beliefs, as remain in the north of Scotland from early days have been collected, arranged, and explained by the late Mr. George Henderson in an able book on that subject.[3] Enquiries such as these, however, belong to the provinces of archæology and folk-psychology, and not to that of history, still less to that of contemporary history, which began in the north, as elsewhere, with oral tradition, handed down at first by men of recording memories, and then committed to writing, and afterwards to print; and both in Norway and Iceland on the one hand, and in the Highlands on the other such men were by no means rare, and were deservedly held in the highest honour.

Writing arrived in Sutherland and Caithness very late, and was not even then a common indigenous product. Clerks, or scholars who could read and write, were at first very few, and in the north of Scotland hardly any such were known before the twelfth century of our era, save perhaps in the Pictish and Columban settlements of hermits and missionaries. Of their writings, if they ever existed, little or nothing of historical value is extant at the present time. But the *Orkneyinga, St. Magnus,* and *Hakon's Sagas,* when they take up their story, present us with a graphic and human and consecutive account of much which would otherwise have remained unknown, and their story, though tinged here and there with romance through the writers' desire for dramatic effect, is, so far as the main facts go, singularly faithful and accurate, when it can be tested by contemporary chronicles.

Until the twelfth or the thirteenth century, save for

these Sagas, we learn hardly anything of Sutherland, or, indeed, of the extreme north of Scotland from any record written either by anyone living there or by anyone with local knowledge, and for facts before those given in the *Orkneyinga Saga* we have to cast about among historians of the Roman Empire and amongst early Greek geographers, or later ecclesiastical writers, to find nothing save a few names of places and some scattered references to vanished races, tongues and Churches. For information about the Picts we have at first to rely on the researches of some of our trustworthy archæologists, and at a later date on the annals, largely Irish, collected by the late Mr. Skene in his *Chronicles of the Picts and Scots,* and in the works of Mr. Ritson, into which it is no part of our purpose to enter in detail. All the authorities for early Scottish history have been ably dealt with by Sir Herbert Maxwell in his book on the *Early Chronicles Relating to Scotland,* reproducing the Rhind lectures delivered by him in 1912. At the end of our period reliable references to charters from the twelfth century onwards will be found in *Origines Parochiales Scotiae,* and especially in the second part of the second volume of that valuable work of monumental research, produced, under the late Mr. Cosmo Innes, by Mr. James Brichan, and presented to the Bannatyne Club by the second Duke of Sutherland and the late Sir David Dundas. There are also the reprints, often with elaborate notes, of Scottish Charters by Sir Archibald C. Lawrie, The Bannatyne Club, The Spalding Club, The Viking Society, Mr. Alan O. Anderson, and others. The first volume of the Orkney and Shetland Records published by the Viking Society is prefaced by an able introduction of great interest.

By way of introduction to Norse times, we may attempt to state very shortly some of the leading events in Caledonia in Roman, Pictish, and Scottish times

from near the end of the first century to the beginning of the tenth, so far as they bear on the agencies at work there in Norse times.

The first four of the nine centuries above referred to had seen the Romans under Agricola[4] in 80 to 84 A.D. attempt, and fail, to conquer the Caledonians or men of the woods,[5] whose home, as their name implies, was the great woodland region of the Mounth or Grampians. Those centuries had also seen the building of the wall of Hadrian between the Tyne and Solway in the year 120, the campaigns of Lollius Urbicus in 140 A.D. and the erection between the Firths of Forth and Clyde of the earthen rampart of Antonine on stone foundations, which was held by Rome for about fifty years. Seventy years later, in the year 210, fifty thousand Roman legionaries had perished in the Caledonian campaigns of the Roman Emperor Severus, and over a century and a half later, in 368, there had followed the second conquest of the Roman province of Valentia which comprised the Lothians and Galloway in the south, by Theodosius. Lastly, the final retirement of the Romans from Scotland, and indeed from Britain, took place, on the destruction of the Roman Empire in spite of Stilicho's noble defence, by Alaric and the Visigoths, in 410.

From the Roman wars and occupation two main results followed. The various Caledonian tribes inhabiting the land had then probably for the first time joined forces to fight a common foe, and in fighting him had become for that purpose temporarily united. Again, possibly as part of the high Roman policy of Stilicho, St. Ninian had in the beginning of the fifth century introduced into Galloway and also into the regions north of the Wall of Antonine the first teachers of Christianity, a religion which, however, was for some time longer to remain unknown to the Picts generally in the north. But, as Professor Hume Brown also tells

us in the first of the three entrancing volumes of his History, "In Scotland, if we may judge from the meagre accounts that have come down to us, the Roman dominion hardly passed the stage of a military occupation, held by an intermittent and precarious tenure." What concerns dwellers in the extreme north is that although the Romans went into Perthshire and may have temporarily penetrated even into Moray, they certainly never occupied any part of Sutherland or Caithness, though their tablets of brass, probably as part of the currency used in trade, have been found in a Sutherland Pictish tower or broch,[7] a fact which goes far to prove that the brochs, with which we shall deal later on, existed in Roman times.[8]

As the Romans never occupied Sutherland or Caithness or even came near their borders, their inhabitants were never disarmed or prevented from the practice of war, and thus enfeebled like the more southerly Britons.

After the departure, in 410, of the Romans, St. Ninian sent his missionaries over Pictland, but darkness broods over its history thenceforward for a hundred and fifty years. Picts, Scots of Ireland, Angles and Saxons swarmed southwards, eastwards, and westwards respectively into England, and ruined Romano-British civilisation, which the Britons, unskilled in arms, were powerless to defend, as the lamentations of Gildas abundantly attest.

In 563 Columba, the Irish soldier prince and missionary, whose Life by Adamnan still survives,[9] landed in Argyll from Ulster, introduced another form of Christian worship, also, like the Pictish, "without reference to the Church of Rome," and from his base in Iona not only preached and sent preachers to the north-western and northern Picts, but in some measure brought among them the higher civilisation then prevailing in Ireland. About the same time Kentigern, or St. Mungo, a Briton of Wales, carried on missionary

work in Strathclyde and in Pictland, and even, it is said, sent preachers to Orkney.

In the beginning of the seventh century King Aethelfrith of Northumbria had cut the people of the Britons, who held the whole of west Britain from Devon to the Clyde, into two, the northern portion becoming the Britons of Strathclyde; and the same king defeated Aidan, king of the Scots of Argyll, at Degsastan near Jedburgh, though Aidan survived, and, with the help of Columba, re-established the power of the Scots in Argyll.

About the year 664, the wars in the south with Northumbria resulted in the introduction by its king Oswy into south Pictland of the Catholic instead of the Columban Church, a change which Nechtan, king of the Southern Picts, afterwards confirmed, and which long afterwards led to the abandonment throughout Scotland of the Pictish and Columban systems, and to the adoption in their place of the wider and broader culture, and the politically superior organisation and stricter discipline of the Catholic Church, as new bishoprics were gradually founded throughout Scotland by its successive kings.[10]

Meantime, during the centuries which elapsed before the Catholic Church reached the extreme north of Scotland, the Pictish and Columban churches held the field, as rivals, there, and probably never wholly perished in Norse times even in Caithness and Sutherland.

During these centuries there were constant wars among the Picts themselves, and later between them and the Scots, resulting, generally, in the Picts being driven eastward and northward from the south centre of Alban, which the Scots seized, into the Grampian hills.

After this very brief statement of previous history we may now attempt to give some description of the land and the people of Caithness and Sutherland as the Northmen found them in the ninth century.

CHAPTER II.

The Pict and the Northman.

THE present counties of Caithness and Sutherland together made up the old Province of Cait or Cat, so called after the name of one of the seven legendary sons of *Cruithne,* the eponymous hero who represented the Picts of Alban, as the whole mainland north of the Forth was then called, and whose seven sons' names were said to stand for its seven main divisions,[1] *Cait* for Caithness and Sutherland, *Ce* for Keith or Mar, *Cirig* for Magh-Circinn or Mearns, *Fib* for Fife, *Fidach* (Woody) for Moray, *Fotla* for Ath-Fodla or Athol, and *Fortrenn* for Menteith.

Immediately to the south of Cat lay the great province of Moray including Ross, and, in the extreme west, a part of north Argyll; and the boundary between Cat and Ross was approximately the tidal River Oykel, called by the Norse Ekkjal, the northern and perhaps also the southern bank of which probably formed the ranges of hills known in the time of the earliest Norse jarls as Ekkjals-bakki. Everywhere else Cat was bounded by the open sea, of which the Norse soon became masters, namely on the west by the Minch, on the north by the North Atlantic and Pentland Firth, and on the east and south by the North Sea; and the great valley of the Oykel and the Dornoch Firth made Cat almost into an island.

Like Cæsar's Gaul, Cat was "divided into three parts"; first, *Ness,* which was co-extensive with the modern county of Caithness, a treeless land, excellent in crops and highly cultivated in the north-east, but elsewhere mainly made up of peat mosses, flagstones and flatness, save in its western and south-western borderland of hills; secondly, to the west of Ness,

Strathnavern, a land of dales and hills, and, especially in its western parts, of peaks; and, thirdly, to the south of Strathnavern, *Sudrland,* or the Southland, a riviera of pastoral links and fertile ploughland, sheltered on the north by its own forests and hills, and sloping, throughout its whole length from the Oykel to the Ord of Caithness, towards the *Breithifjorthr,* Broadfjord, or Moray Firth, its southern sea.[2]

Save in north-east Ness, and in favoured spots elsewhere, also below the 500 feet level, the land of Cat was a land of heath and woods[3] and rocks, studded, especially in the west, with lochs abounding in trout, a vast area of rolling moors, intersected by spacious straths, each with its salmon river, a land of solitary silences, where red deer and elk abounded, and in which the wild boar and wolf ranged freely, the last wolf being killed in Glen Loth within twelve miles of Dunrobin at a date between 1690 and 1700.[4] No race of hunters or fishermen ever surpassed the Picts in their craft as such.

The land, especially Sutherland, is still a happy hunting-ground not only for the sportsman but also for the antiquary. For the modern County of Sutherland is outwardly much the same now as it was in Pictish times, save for road and rail, two castles, and a sprinkling of shooting lodges, inns, and good cottages, which, however, in so vast a territory are, as the Irishman put it, "mere fleabites on the ocean." Much of the west of the land of Cat was scarcely inhabited at all in Pictish or Viking days, because as is clearly the case in the Kerrow-Garrow or Rough Quarter of Eddrachilles, it would not carry one sheep or feed one human being per hundred acres in many parts. The rest of it also remains practically unchanged in appearance from the earliest days till the present time, as it has been little disturbed by the plough save in the north-east of Ness and at Lairg and Kinbrace, and in its lower levels along

the coast. But Loch Fleet no longer reaches to Pittentrail, and the crooked bay at Crakaig has been drained and the Water of Loth sent straight to the sea.

The only buildings or structures existing in Cat in Pictish and early Norse times were a few vitrified forts, some underground erde-houses, hut-circles innumerable, and perhaps a hundred and fifty brochs, or Pictish towers as they are popularly called, which had been erected at various dates from the first century onwards, long before the advent of the Norse Vikings is on record, as defences against wolves and raiders both by land and sea, and especially by sea. Notwithstanding agricultural operations, foundations of 145 brochs can still be traced in Ness and 67 in Strathnavern and Sudrland, but they were not all in use at the same time, and they are mostly on sites taken over later on by the Norse,[5] because they were already cultivated and agriculturally the best.

A well-known authority on such subjects, the late Dr. Munro, in his *Prehistoric Scotland* p. 389 writes of the brochs as follows:—"Some four hundred might have been seen conspicuously dotting the more fertile lands along the shores and straths of the counties of Caithness, Sutherland, Ross, Inverness, Argyll, the islands of Orkney, Shetland, Bute, and some of the Hebrides. Two are found in Forfarshire, and one each in the counties of Perth, Stirling, Midlothian, Selkirk and Berwick."

If one may venture to hazard a conjecture as to their date, they probably came into general use in these parts of Caledonia as nearly as possible contemporaneously with the date of the Roman occupation of South Britain, which they outlasted for many centuries. But their erection was not due to the fear of attack by the armies of Rome. For their remains are found where the Romans never came, and where the Romans came almost none are found. Their construction is more pro-

bably to be ascribed to very early unrecorded maritime raids of pirates of unknown race both on regions far north of the eastern coast protected later by the Count of the Saxon shore, and on the northern and western islands and coasts, where also many ruins of them survive.

In Cat dwelt the Pecht or Pict, the Brugaidh or farmer in his dun or broch, erected always on or near well selected fertile land on the seaboard, on the sides of straths, or on the shores of lochs, or less frequently on islands near their shores and then approached by causeways;[6] and the rest of the people lived in huts whose circular foundations still remain, and are found in large numbers at much higher elevations than the sites of any brochs. The brochs near the sea-coast were often so placed as to communicate with each other for long distances up the valleys, by signal by day, and beacon fire at night, and so far as they are traceable, the positions of most of them in Sutherland and Caithness are indicated on the map by circles.

Built invariably solely of stone and without mortar, in form the brochs were circular, and have been described as truncated cones with the apex cut off,[7] and their general plan and elevation were everywhere almost uniform. The ground floor was solid masonry, but contained small chambers in its thickness of about 15 feet. Above the ground floor the broch consisted of two concentric walls about three feet apart, the whole rising to a height in the larger towers of 45 feet or more, with slabs of stone laid horizontally across the gap between and within the two walls, at intervals of, say, five or six feet up to the top, and thus forming a series of galleries inside the concentric walls, in which large numbers of human beings could be temporarily sheltered and supplies in great quantities could be stored for a siege. These galleries were approached from within the broch by a staircase which rose from

the court and passed round between the two concentric walls above the ground floor, till it reached their highest point, and probably ended immediately above the only entrance, the outside of which was thus peculiarly exposed to missiles from the end of the staircase at the top of the broch. The only aperture in the outer wall was the entrance from the outside, about 5 feet high by 3 feet wide, fitted with a stone door, and protected by guard-chambers immediately within it, and it afforded the sole means of ingress to and egress from the interior court, for man and beast and goods and chattels alike. The circular court, which was formed inside, varied from 20 to 36 feet in diameter, and was not roofed over; and the galleries and stairs were lighted only by slits, all looking into the court, in which, being without a roof, fires could be lit. In some few there were wells, but water-supply, save when the broch was in a loch, must have been a difficulty in most cases during a prolonged siege.

In these brochs the farmer lived, and his womenkind span and wove and plied their querns or hand-mills, and, in raids, they shut themselves up, and possibly some of their poorer neighbours took refuge in the brochs, deserting their huts and crowding into the broch; but of this practice there is no evidence, and the nearest hut-circles are often far from the remains of any broch.

For defence the broch was as nearly as possible perfect against any engines or weapons then available for attacking it; and we may note that it existed in Scotland and mainly in the north and west of it, and nowhere else in the world.[8] It was a roofless block-house, aptly described by Dr. Joseph Anderson as a "safe." It could not be battered down or set on fire, and if an enemy got inside it, he would find himself in a sort of trap surrounded by the defenders of the broch, and a mark for their missiles. The broch, too, was quite

distinct from the lofty, narrow ecclesiastical round tower, of which examples still are found in Ireland, and in Scotland at Brechin and Abernethy.

To resist invasion the Picts would be armed with spears, short swords and dirks, but, save perhaps a targe, were without defensive body armour, which they scorned to use in battle, preferring to fight stripped They belonged to septs and clans, and each sept would have its Maor, and each clan or province its Maormor[9] or big chief, succession being derived through females. a custom which no doubt originated in remote pre-Christian ages when the paternity of children was uncertain.

Being Celts, the Picts would shun the open sea. They feared it, for they had no chance on it, as their vessels were often merely hides stretched on wattles, resembling enlarged coracles. Yet with such rude ships as they had, they reached Orkney, Shetland, the Faroes and Iceland as hermits or missionaries.[10] In Norse times they never had the mastery of the sea, and the Pictish navy is a myth of earlier days.[11]

Lastly, as we have seen, the Picts of Cat had never been conquered, nor had their land ever been occupied by the legions of Rome, which had stopped at the furthest in Moray; and the sole traces of Rome in Cat are, as stated, two plates of hammered brass found in a Sutherland broch, and some Samian ware. Further, Christian though he had been long before Viking times, the Pict of Cat derived his Christianity at first and chiefly from the Pictish missions, and later from the Columban Church, both without reference to Papal Rome; and his missionaries not only settled on islands off his coasts, but later on worshipped in his small churches on the mainland; and many a Pictish saint of holy life was held in reverence there.

About the eighth century and probably earlier, immigrants from the southern shores of the Baltic pressed

the Norse westwards in Norway, and later on overpopulation in the sterile lands which lie along Norway's western shores, drove its inhabitants forth from its western fjords north of Stavanger and from The Vik or great bay of the Christiania Fjord, whence they may have derived their name of Vikings, across the North Sea to the opposite coasts of Shetland, Orkney and Cat, where they found oxen and sheep to slaughter on the nesses or headlands, and stores of grain, and some silver and even gold in the shrines and on the persons of those whom they attacked, and in still later days they sought new lands over the sea and permanent settlements, where they would have no scat to pay to any overlord or feudal superior.

When the Vikings landed, superior discipline, instilled into them by their training on board ship, superior arms, the long two-handed sword and the spear and battle-axe and their deadly bows and arrows, and superior defensive armour, the long shield, the helmet and chain-mail, would make them more than a match for their adversaries.[12] Above all, the greater ferocity of these Northmen, ruthlessly directed to its object by brains of the highest order, would render the Pictish farmer, who had wife and children, and home and cattle and crops to save, an easy prey to the Viking warrior bands, and the security of his broch would of itself tend to a passive and inactive, rather than an offensive, and therefore successful defence.

After long continued raids, the Vikings no doubt saw that much of the land along the shore was fair and fertile compared with their own, and finally they came not merely to plunder and depart, but to settle and stay. When they did so, they came in large numbers and with organised forces[13] and carefully prepared plans of campaign, and with great reserves of weapons on board their ships; and having the ocean as their highway, they could select their points of attack. They

then, as we know from the localities which bear their place-names, cleared out the Pict from most of his brochs and from the best land in Cat, shown on the map by dark green colour, that is, from all cultivated land below the 500 feet level save the upper parts of the valleys; or they slew or enslaved the Pict who remained. Lastly, on settling, they would seize his women-kind and wed them; for the women of their own race were not allowed on Viking ships, and were probably less amenable and less charming to boot. But the Pictish women thus seized had their revenge. The darker race prevailed, and, the supply of fathers of pure Norse blood being renewed only at intervals, the children of such unions soon came to be mainly of Celtic strain, and their mothers doubtless taught them to speak the Gaelic, which had then for at least a century superseded the Pictish tongue. The result was a mixed race of Gall-gaels or Gaelic strangers, far more Celtic than Norse, who soon spoke chiefly Gaelic, save in north-east Ness. Their Gaelic, too, like the English of Shetland at the present time, would not only be full of old Norse words, especially for things relating to the sea, but be spoken with a slight foreign accent. How numerous those foreign words still are in Sutherland Gaelic, the late Mr. George Henderson has ably and elaborately proved in his scholarly book on "Norse Influence on Celtic Scotland." We find traces of Norse words and the Norse accent and inflexions also on the Moray seaboard, on which the Norse gained a hold. The same would be true of the people on the western lands and islands of the Hebrides.

As time went on, the Gaelic strain predominated more and more, especially on the mainland of Scotland, over the Gall, or foreign, strain, which was not maintained. Mr. A. W. Johnston, in his "*Orkney and Shetland Folk*—850 *to* 1350,"[14] has worked out the

quarterings of the Norse jarls, of whom only the first three were pure Norsemen, and he has thus shown conclusively how very Celtic they had become long before their male line failed. The same process was at work, probably to a greater extent, among those of lower rank, who could not find or import Norse wives, if they would, as the jarls frequently did.

One or two other introductory points remain to be noted and borne in mind throughout.

We must beware of thinking that all the land in an earldom such as Cat was the absolute property of the chief, as in the nineteenth century, or the latter half of it, was practically true in the modern county of Sutherland. The fact was very much otherwise. The Maormor and afterwards the earl doubtless had demesne lands, but he was in early times, *ex officio,* mainly a superior and receiver of dues for his king;[15] and this possibly shows why very early Scottish earldoms, as for instance that of Sutherland, in the absence of male heirs, often descended to females, unless the grant or custom excluded them. It was quite different with later feudal baronies or tenancies, where military service, which only males could render, was due, and which with rare exceptions it was, after about 1130, the policy of the Scottish kings to create; and in the case of baronies or lordships the land itself was often described and given to the grantee and his heirs by metes and bounds, in return for specified military service, and his heirs male were exhausted before any female could inherit.

In Ness and in the rest of Cat there were many Norse and native holders of land within the earldom, and much tribal ownership. Duncan of Duncansby or Dungall of Dungallsby, as he is variously called, allowed part at least of his dominions to pass by marriage to the Norse jarls; but both Moddan and Earl Ottar, whose heir was Earl Erlend Haraldson, who

left no heir, owned land extensively in Ness and elsewhere, while Moddan "in Dale" had daughters also owning land, one of whom, Frakark, widow of Liot Nidingr, had many homesteads in upper Kildonan in Sudrland and elsewhere, and possibly it is her sister Helga's name that lingers in a place-name lower down that strath near Helmsdale, at Helgarie.

What is worthy of notice is that it is clear from the place-names that after the Norse conquest the Norse held and named most of the lower or seaward parts of the valleys and nearly all the coast lands of Cat and Ross as far south as the Beauly Firth, and the Picts occupied and were never dispossessed of the upper parts of the valleys or the hills all through the Norse occupation. In other words, as conquerors coming from the sea, the Norsemen seized and held the better Pictish lands near the coast, which had been cultivated for centuries, and on which crops would ripen with regularity and certainty year after year. But as time went on the Pictish Maormor pressed the Norse Jarl more and more outwards and eastwards in Cat.

We must also remember the enormous power of the Scottish Crown through its right of granting wardships, especially in the case of a female heir. Under such grants the grantee, usually some very powerful noble, took over during minority the title of his ward and all his revenues absolutely, in return for a payment, correspondingly large, to the Crown. If the ward was a female, the grantee disposed of her hand in marriage as well.

After these preliminary notes, we may now again glance at the Scots, who were destined, from small beginnings, by a series of strange turns of fortune and superior state-craft, in time to conquer and dominate all modern Scotland north of the Forth, then known as Alban.

The Scots, as already stated, had come over from

Ulster and settled in Cantyre about the end of the fifth century, and for long they had only the small Dalriadic territory of Argyll, and even this they all but lost more than once. At the same time, after 563, they had a most valuable asset in Columba, their soldier missionary prince, and his *milites Christi,* or soldiers of Christ, who gradually carried their Christianity and Irish culture even up to Orkney itself, with many a school of the Erse or Gaelic tongue, and thus paved the way for the consolidation of the whole of Alban into one political unit by providing its people with a common language.

But in order to live the Scots had been forced to defeat many foes, such as the Britons of Strathclyde, whose capital was at Alcluyd or Dunbarton,[16] the Northumbrians on the south, and the Picts of Atholl, Forfar, Fife and Kincardine, which comprised most of the fertile land south of the Grampians. The great Pictish province of Moray on the north of the Grampians, however, remained unsubdued, and it took the Scots several centuries more to reduce it.

It was when the Scottish conquests above referred to were thus far completed that the new factor, with which we are mainly concerned, was introduced into the problem. This factor was, as stated, *the Northmen.*

CHAPTER III.

The Early Norse Jarls.

IT was in the reign of Constantine I, son of the great Pictish king, Angus MacFergus, that the new and disturbing influence mentioned above appeared in force in Alban. Favoured in their voyages to and fro by the prevailing winds, which then, as now, blew from the east in the spring and from the west later in the year, the Northmen, both Norsemen and Danes, neither being Christians, had, like their predecessors the Saxons and Angles and Frisians, for some time made trading voyages and desultory piratical attacks in summer-time on the coasts of Britain and Ireland, and probably many a short-lived settlement as well. But as these attacks and settlements are unrecorded in Cat, no account of them can be given.

In 793 it is on record that the Vikings first sacked Iona, originally the centre of Columban Christianity but then Romanised, and they repeated these raids on its shrine again and again within the next fifteen years. Constantine thereupon removed its clergy to Dunkeld, "and there set up in his own kingdom an ecclesiastical capital for Scots and Picts alike,"[1] as a step towards the political union of his realm, which Norse sea-power had completely severed from the original home of the Scots in Ulster.

The Northmen now began the systematic maritime invasions of our eastern and northern and western coasts and islands, which history has recorded. North Scotland was attacked almost exclusively by Norsemen, and Norsemen and Danes invaded Ireland. The Danes seized the south of Scotland, and the north of

England, of which latter country, early in the eleventh century in the time of King Knut, they were destined to dominate two-thirds, while Old Norse became the *lingua franca* of his English kingdom, and enriched its language with hundreds of Norse words, and gave us many new place and personal names.

In 844, Kenneth, king of the Scots, the small North Irish sept which, as stated above, had crossed over from Erin and held the Dalriadic kingdom of Argyll with its capital at Dunadd near the modern Crinan Canal, succeeded in making good his title, on his mother's side, to the Pictish crown by a successful attack from the west on the southern Picts[2] at the same time as their territory was being invaded from the east coast by the Danes. Thereafter, these Picts and the Scots gradually became and ever afterwards remained one nation, a course which suited both peoples as a safeguard not only against their foreign foes the Northmen, but also against the Berenicians of Lothian on the south. With the object of ensuring the union of the two peoples Kenneth is said to have transferred some of the relics of Columba, who had become the patron saint of both, from Iona to Dunkeld, which thus definitely remained not only the ecclesiastical capital of the united Picts and Scots, but the common centre of their religious sentiment and veneration. Incidentally, too, the Pictish language gradually became disused, as that people were absorbed in the Scots; and unfortunately, through the fact that no written literature survived to preserve it, that language has almost entirely disappeared. The better opinion is that it was more closely akin to Welsh and Breton than to Erse or Gaelic, the Welsh and the Picts being termed "P" Celts, and the other races "Q" Celts, because in words of the same meaning the Welsh used "P" where the Gaelic speaking Celt used the hard "C". For instance, "Pen" and "Map" in

Welsh became "Ken" (or Ceann) and "Mac" in Gaelic.[3]

In the reign of Constantine II, Kenneth's son and next successor but one, further incursions by the Northmen took place under King Olaf the White of Dublin in 867 and 871; while in 875 his son Thorstein the Red, by Aud "the deeply-wealthy" or "deeply-wise," landed on the north coast, and, we are told, seized "Caithness and Sutherland and Moray and more than half Scotland,"[4] being killed, however, by treachery within the year. His mother Aud thereupon built a ship in Caithness, and sailed for the Faroes and Iceland with her retinue and possessions, marrying off two grand-daughters on the way, one, called Groa, to Duncan, Maormor of Duncansby in Caithness, the most ancient Pictish chief of whom we hear in that district, and probably ancestor of the Moldan, or Moddan, line in Cat. Two years later, in 877, King Constantine was defeated by a force of Danes at Dollar, and slain by them at Forgan in Fife.[5]

After the great decisive battle of Hafrsfjord in Norway in 872, because Orkney and Shetland and the Hebrides had become refuges for the Norse Vikings, who had been expelled from their country or had left it on the introduction of feudalism with its payment of dues to the king, but were raiding its shores, Harald Harfagr,[6] king of Norway, along with Jarl Ragnvald of Maeri attacked and extirpated the pirate Vikings in their island lairs; and, as compensation to the jarl for the loss of his son Ivar in battle, Harald transferred his conquests with the title of Jarl of Orkney and Shetland to Ragnvald, who, in his turn, with the king's consent, soon made over his new territories and title to his brother Sigurd.

This new jarl, the second founder of the line of Orkney jarls, conquered Caithness and Sutherland as far south as Ekkjals-bakki,[7] which is believed by some

to be in Moray, and by others, with more truth, to be the ranges of hills in Sutherland and Ross lying to the north and to the south of the River Oykel and its estuary, the Dornoch Firth; and the second part of the name still happens to survive in the place-name of Backies in Dunrobin Glen and elsewhere in Cat where the Norse settled. About the year 890,[8] after challenging Malbrigde of the Buck-tooth to a fight with forty a side, to which he himself perfidiously brought eighty men, Sigurd outflanked and defeated his adversary, and cut off his head and suspended it from his saddle; but the buck-tooth, by chafing his leg as he rode away from the field, caused inflammation and death, and Jarl Sigurd's body was laid in howe on Oykel's Bank at Sigurthar-haugr, or Sigurds-haugr, the Siwards-hoch of early charters now on modern maps corruptly written Sidera or Cyderhall, near Dornoch, which, when translated, is Sigurd's Howe.[9] "Thenceforward," as Professor Hume Brown tells us, "the mainland was never secure from the attacks of successive jarls, who for long periods held firm possession of what is now Caithness and Sutherland. As things now went, this was in truth in the interest of the kings of Scots themselves. To the north of the Grampians they exercised little or no authority; and the people of that district were as often their enemies as their friends. Through the action of the Orkney jarls, therefore, the Scottish kings were at comparative liberty to extend their territory towards the south; and the day came when they found themselves able to crush every hostile element even in the north."[10]

It is this process of consolidation in the north which it is proposed to describe so far as Sutherland and Caithness are concerned, using both Norse and Scottish records, and piecing them together as best we can, and, be it confessed, in many cases filling up great gaps by necessary guess-work when records fail.

In the reign of the great king Constantine III, between the years 900 and 942, the Danes again gave trouble. In 903 the Irish Danes ravaged Alban,[11] as Scotland north of the Forth was then called, for a whole year; in 918 Constantine and his ally, Eldred of Lothian, were defeated by another expedition of these invaders; and in 934 Athelstan and his Saxons burst into Strathclyde and Forfar, the heart of Constantine's kingdom, and the Saxon fleet was sent up even to the shores of Caithness, as a naval demonstration intended to brave the Norse, who had joined Constantine, on their own element. Lastly, in 937 Athelstan and Constantine met at Brunanburg, probably Birrenswark near Ecclefechan, and Constantine and his Norse allies were completely defeated.[12]

Meantime, since 875, a succession of jarls had endeavoured to hold, for the kings of Norway, Orkney and Shetland, as well as Cat, which then included Ness, Strathnavern, and Sudrland.[13] The history of these early jarls is not told in detail in any surviving contemporary record, for the Sagas of the jarls as individuals have perished; but there is a brief account of them in the beginning of the *Orkneyinga Saga,* another in chapters 99 and 100 of the *St. Olaf's Saga,* and a fuller one in chapters 179 to 187 of the *Saga of Olaf Tryggvi's Son,* contained in the *Flatey Book.*[14] From these the following story may be gathered.

After Jarl Sigurd's death, his son Guthorm ruled for one winter, and died without issue, so that Sigurd's line came to an end. When Jarl Ragnvald of Maeri heard of his nephew's death, he sent his son Hallad over from Norway to Hrossey, as the mainland of Orkney was then called, and King Harald gave him the title of jarl. Failing in his efforts to put down the piracy of the Vikings, who continued their slayings and plunderings, Hallad, the last of the purely Norse jarls, resigned his jarldom, and returned ignominiously

to Norway. In the absence at war of Hrolf the Ganger, who became Duke of Normandy and was an ancestor of the kings of England, two others of Ragnvald's sons, Thorir and Hrollaug, were summoned to meet their father. At this meeting it was decided that neither of these should go to Orkney, Thorir's prospects in Norway being good, and Hrollaug's future lying in Iceland, where, it was said, he was to found a great family. Then Einar, the Jarl's youngest son by a thrall or slave woman, and thus not of pure Norse lineage, asked whether he might go, offering as an inducement to his father that, if he went, he would thus never be seen by him again. He was told that the sooner he went, and the longer he stayed away, the better his father would be pleased. A galley, well equipped, was given to him, and about the year 891 King Harald Harfagr conferred on him the title of Jarl of Orkney and Shetland, for which he sailed. On his arrival there, he attacked Kalf Skurfa and Thorir Treskegg,[15] the pirate Viking leaders, and defeated and slew them both. He then took possession of the lands of the jarldom; and, from having taught the people of Turfness in Moray the use of turf or peat for fuel, was known thenceforward as Torf-Einar. He is said to have been "a tall man, ugly, with one eye, but very keen-sighted,"[16] a faculty which he was soon to use.

When Jarl Ragnvald of Maeri, the first of the Orkney jarls, was killed in Norway by two of Harald Harfagr's sons, one of them, Halfdan Halegg or Longshanks fled from their father's vengeance to Orkney. When Halfdan landed, Torf-Einar took refuge in Scotland, but returned in force, and after defeating Halfdan—who had usurped the jarldom—in North Ronaldsay Firth, spied him as a fugitive, in hiding, far off on Rinarsey or Rinansey (Ninian's Island) now North Ronaldsay, and seized him, cut a blood-eagle

on his back, severed his ribs and pulled out his lungs, and, after offering him as a victim to Odin, buried his body there.[17]

Incensed at the shameful slaughter of his son, Harald Harfagr came over from Norway about the year 900 to avenge him, but, as was then not unusual, accepted as a wergeld or atonement for his son's death a fine of sixty marks of gold, which it fell to the islanders to pay. On their failure to find the money, Torf-Einar paid it himself, taking in return from the people their odal lands,[18] which were lost to their families until Jarl Sigurd Hlodverson temporarily restored them as a recompense for their assistance in the battle fought by him between 969 and 995 against Finleac Mac-Ruari, Maormor of North Moray, at Skidamyre in Caithness. Whether it was the Orkney jarls or their superiors, the kings of Norway, who owned them in the meantime, the odal lands were finally sold back to those entitled to them by descent by Jarl Ragnvald Kol's son about 1137, in order to raise money for the completion of Kirkwall Cathedral. Odal tenure in Orkney was thus in abeyance for over two centuries, save for a short time, and in any case its inherent principle of subdivision would have killed it, and after its renewal, in spite of its many safeguards against alienation to strangers, it gradually died out under feudalism and Scottish law and lawyers.[19] In Cat it never seems to have taken root.

After holding the jarldom for a long term, Torf-Einar died in his bed, as the Saga contemptuously tells us, probably in or after the year 920, leaving three sons, Arnkell, Erlend, and Thorfinn Hausa-kliufr or Skull-splitter, of whom the two first, Arnkell and Erlend, fell with Eric Bloody-axe, king of Norway, in England. The third son, Thorfinn Hausa-kliufr or Skull-splitter, himself about three-quarters Norse by blood, married Grelaud, daughter of Dungadr, or

Duncan, the Gaelic Maormor of Caithness by Groa, daughter of Thorfinn the Red, thus further Gaelicising the strain of the Norse Jarls of Orkney,[20] but adding greatly to their mainland territories.

Jarl Thorfinn Hausa-kliufr, who flourished between 920 and 963, is described as a great chief and fighter; but he, like his father, died a peaceful death, and was buried at Hoxa, Haugs-eithi or Mound's-isthmus, which covers the site of a Pictish broch, near the north-west end of South Ronaldshay.[21]

When Eric Bloody-axe had been defeated and killed, his sons came to Orkney and seized the jarldom, and his widow, the notoriously wicked Gunnhild and her daughter Ragnhild settled there for a time. Thorfinn Hausa-kliufr, had five sons, Arnfinn, Havard, Hlodver, Ljotr and Skuli. Three of these, Arnfinn, Havard and Ljotr, successively married Ragnhild, and Ragnhild rivalled her mother in wickedness. Arnfinn she killed at Murkle in Caithness with her own hand; Havard she induced Einar Oily-tongue, his nephew, to slay, on her promise to marry him, which she broke; and finally she married Jarl Ljotr instead. Skuli, the only other surviving son save Hlodver, went to the king of Scots, who is said to have lightly given away what did not belong to him, and to have created him Earl of Caithness, which then included Sudrland.[22] Skuli then raised a force in his new earldom, no doubt to carry out Scottish policy, and, crossing to Orkney, fought a battle there with his brother Ljotr, was defeated, and fled to Caithness. Collecting another army in Scotland, Skuli fought a second battle at Dalar or Dalr, probably Dale in the upper valley of the Thurso River in Caithness, and was there defeated and killed by Ljotr, who took possession of his dominions. Then followed a battle between Ljotr and a Scottish earl called Magbiod or Macbeth, at Skida Myre or Skitten Moor in Watten in Caithness, which

Ljotr won, but died of his wounds shortly after, and is said to have been buried at Stenhouse in Watten.[23] Thus the first Scottish attempt at consolidation of the north failed.

During the last half of the tenth century there was constant war by the kings of Alban against the Northmen who had seized the coast of Moray, and Malcolm I was killed at Ulern near Kinloss, about the year 954, and his successor Indulf fell in the hour of his victory over the invaders at Cullen in Banff.[24] But on the whole probably the Scots had succeeded for a time in driving out the Norse from the laigh of Moray, which the latter needed for its supplies of grain.

Hlodver or Lewis, (963-980), the only surviving son of Thorfinn Hausa-kliufr, succeeded Ljotr in the jarldom; and by Audna or Edna, daughter of Kiarval, king of the Hy Ivar of Dublin and Limerick, Hlodver had a son, the famous Sigurd the Stout, or Sigurd Hlodverson. Hlodver was, (as Mr. A. W. Johnston points out),[25] by blood slightly more Norse than Gaelic. We know little of him save that he was a mighty chief; and, according to the usual reproach of the Saga, died in his bed and not in battle about 980, and was buried at Hofn, probably Huna, in Caithness, near John o' Groats, under a howe.[26]

The line of the so-called Norse earls, at the period at which we have arrived, 980 A.D., was represented by Sigurd Hlodverson, the hero of the Raven banner, which, as his Irish mother had predicted, was to bring victory to every host which followed it, but death to every man who bore it in battle.[27] Sigurd claimed Caithness by the rules of Pictish succession, as grandson of Grelaud daughter of Duncan of Duncansby, Maormor of that district. This claim was disputed by two Celtic chiefs, Hundi (possibly Crinan, Abthane of Dunkeld) and Melsnati, or Maelsnechtan; and in a battle at Dungal's Noep, near Duncansby, at which

Kari Solmundarson is said in the *Saga of Burnt Njal*[28] to have been present, Sigurd defeated them, but with such loss to his own side that he had to retire to Orkney, leaving Hundi,[29] the survivor of his two enemies, in possession of his lands in Caithness. Sigurd himself, on his voyage from Orkney, fell into the hands of the Norse king, Olaf Tryggvi's-son, who was returning from Dublin to Norway, in the bay of Osmundwall or Kirk Hope in Walls; and the king insisted on the jarl being baptized on the spot, under penalty, if he and all the inhabitants of his jarldom did not become and remain Christians, of losing his eldest son Hundi or Hvelpr, whom the Norse king seized and retained as a hostage. He also sent missionaries to evangelize the jarldom. Such was the conversion of Orkney and its jarl from the worship of Odin, at or about the end of the first millennium of the Christian era.

On his son's death in captivity, Sigurd seems to have deserted the Norse for the Scottish side, and to have devoted himself to seeking the favour, by his assistance in completing the conquest of Moray from the Norse, of the Scottish king Malcolm II, whose third daughter he married as his second wife.[30] He was, by race, more than two-thirds Gaelic, and he clearly at first held Caithness in spite of all Scottish attacks, and probably later on agreed to hold it from the Scottish king.

A few other persons are referred to in the Sagas as connected with Caithness at this time. In the Landnamabok (1.6.5) we find Swart Kell, or Cathal Dhu, mentioned as having gone from Caithness and taken land in settlement in Mydalr in Iceland, and his son was Thorkel, the father of Glum, who took Christendom when he was already old.

About this time also, as appears from the *Saga of Thorgisl*,[31] there was an Earl Anlaf or Olaf in Caith-

ness, who had a sister, named Gudrun, whom Swart Ironhead, a pirate, sought in marriage. But Swart was killed in holmgang, or duel, by Thorgisl, who cut off his head and married Gudrun, by whom he had a son called Thorlaf. Thorgisl then tired of Gudrun, and gave her to Thorstan the White on the plea that he himself wished to go and look after his estate in Iceland, which he did. Can this Anlaf be the original or the legendary Alane, thane of Sutherland, whom Macbeth, according to Sir Robert Gordon in his *Genealogie of the Earles of Southerland,*[32] put to death, and whose son, Walter, Malcolm Canmore is said to have created first Earl? Or was Alane, like others, a creation of Sir Robert's inventive brain? He was certainly no earl of the present Sutherland line; neither was Walter.[33]

To this period also belongs the romantic story of Barth or Bard, son of Helgi and Helga Ulfs-datter told in the *Flatey Book,* and translated at page 369 of the Appendix to Sir George Dasent's Rolls Edition of the *Orkneyinga Saga,* which is shortly as follows.

In the time of Sigurd Hlodverson, Ulf the Bad, of Sanday in Orkney, murdered Harald of North Ronaldsay, and seized his lands in the absence of Harald's son Helgi, a gentle Viking, on a cruise. On his return, Helgi, to revenge his father's death, slew Bard, Ulf's next of kin, in fight. Jarl Sigurd blames him for this and for not letting him settle the feud himself, and Helgi sells all he has, and goes to Ulf's house and takes his daughter, Helga, away. Ulf follows them up by sea with a superior force, defeats Helgi off Caithness, and he jumps overboard with Helga and swims to shore, where a poor farmer, Thorfinn, as Helgi had always been kind in his "vikings" to such as he was, has the wedding at his house, and shelters the pair there till on Ulf's death two years after they can return to Orkney with Bard or Barth, their infant

son. At twelve years of age, Barth desires to fare away "to those peoples who believe in the God of Heaven Himself," and fares far away accordingly. Barth works for a farmer, and works so well that his flocks increase, and gets a cow for himself as a reward, but meets a beggar who begs the cow of him "for Peter's thanks." Each year a cow is the reward of Barth's work, and each year he is asked for the cow, and gives her up, until he has given three cows. Then St. Peter (for the beggar was no other than he) passes his hands over Barth, and gives him good luck, and sets a book upon his shoulders; and he saw far and wide over many lands, and over all Ireland, and he was baptized, and became a holy hermit and a bishop in Ireland. Such is the Norse story of Barth, to whom the first Cathedral in Dornoch was said to have been dedicated. It is far more prettily told in the Saga.

But St. Barr of Dornoch, in all probability, belongs to the sixth century,[34] not to the tenth, and was a Pict or Irishman, not a Norseman. He was never Bishop of Caithness, so far as records tell. His Fair, like those of other Pictish Saints elsewhere in Cat, is still celebrated, and is held at Dornoch.

The battle of Clontarf, fought on Good Friday, the 23rd of April 1014, outside Dublin, between the young heathen king of Dublin, Sigtrigg Silkbeard, and the aged Christian king, Brian Borumha, was, notwithstanding Norse representations to the contrary, a decisive victory for the Irish over the Norse, and for Christianity against Odinism. Sigurd, Jarl of Orkney, though nominally a Christian, fought on the heathen side, and fell bearing his Raven banner, and the old king, Brian, was killed in the hour of his people's victory.

Sigurd's death is the subject of a strange legend, and the occasion of a weird poem, *The Darratha-Liod*,[35] said to have been sung in Caithness for the first time on the day of Sigurd's death.

The legend is given in the *Niala*[36] as follows :— "On Friday it happened in Caithness that a man called Dorruthr went out of his house and saw that twelve men together rode to a certain bower, where they all disappeared. He went to the bower, and looked in through a window, and saw that within there were women, who had set up a web. They sang the poem, calling on the listener, Dorruthr, to learn the song, and to tell it to others. When the song was over, they tore down the web, each one retaining what she held in her hand of it. And now Dorruthr went away from the window and returned home, while they mounted their horses, riding six to the north and six to the south. A similar vision appeared to Brand, the son of Gneisti, in the Faroes. At Swinefell in Iceland blood fell on the cope of a priest on Good Friday, so that he had to take it off. At Thvatta a priest saw on Good Friday deep sea before the altar and many terrible wonders therein, and for long he was unable to sing the Hours."[37]

This strange legend of early telepathy may be explained by the fact that Thorstein, son of the Icelander Hall o' Side, fought for Sigurd at Clontarf, and afterwards returned to Iceland and told the story of the battle, which the Saga preserved; and the English poet, Thomas Gray, used it as the theme of his well-known poem intituled *The Fatal Sisters.* The old Norse ballad referred to Sigurd's death at Clontarf in 1014. It is known as *Darratha-Liod* or *The Javelin-Song,* and is translated by the late Eirikr Magnusson and printed in the *Miscellany of the Viking Society* with the Old Norse original[38] and the translator's scholarly notes and explanations. It is said that it was often sung in Old Norse in North Ronaldsay until the middle of the eighteenth century.

As translated it is as follows :—

DARRATHA-LIOD.

I. Widely 's warped
To warn of slaughter
The back-beam's rug—
Lo, blood is raining!
Now grey with spears
Is framed the web
Of human kind,
With red woof filled
By maiden friends
Of Randver's slayer.

II. That web is warped
With human entrails,
And is hard weighted
With heads of people;
Bloodstained darts
Do for treadles,
The forebeam's ironbound
The reed's of arrows;
Swords be sleys[39]
For this web of war.

III. Hild goes to weave
And Hiorthrimol
Sangrid and Svipol
With swords unsheathed.
Shafts will crack
And shields will burst,
The dog of helms
Will drop on byrnies.

IV. Wind we, wind we
Web of javelins
Such as the young king
Has waged before.
Forward we go
And rush to the fray,
Where our friends
Engage in fighting.

V. Wind we, wind we
Web of javelins
Where forward rush
The fighters' standards.

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VI. Wind we, wind we
Web of javelins,
And faithfully
The king we follow.
Nor shall we leave
His life to perish;
Among the doomed
Our choice is ample.

VII. * * * * * * * * *
* * * * * * * * *
* * * * * * * * *
* * * * * * * * *
There Gunn and Gondul
Who guarded the king
Saw borne by men
Bloody targets.

VIII. That race will now
Rule the country
Which erstwhile held
But outer nesses.
The mighty king,
Meweens, is doomed.
Now pierced by points
The Earl hath fallen.

IX. Such bale will now
Betide the Irish
As ne'er grows old
To minding men.
The web's now woven
The wold made red,
Afar will travel
The tale of woe.

X. An awful sight
The eye beholdeth
As blood-red clouds
Are borne through heaven;
The skies take hue
Of human blood,
Whene'er fight-maidens
Fall to singing.

XI. Willing we chant
Of the youthful king
A lay of victory—
Luck to our singing!

But he who listens
Must learn by heart
This spear-maid's song
And spread it further.

XII. * * * * * * * * *
* * * * * * * * *
* * * * * * * * *
* * * * * * * * *

On bare-backed steeds
We start out swiftly
With swords unsheathed
From hence away.

The nine centuries, above referred to, of Roman invasion, intestine war, and ecclesiastical rivalry between the Pictish, Columban and Catholic Churches had now, under Malcolm II, produced a kingdom of Scotland, throughout which the Catholic was in a fair way to become the predominant Church, and in which the authority of the Scottish Crown was for the time being, nominally, but in the north merely nominally, supreme on the mainland from the Tweed to the Pentland Firth. The Isles of Orkney and Shetland and the whole of the Sudreyar or Hebrides, however, owed allegiance, whether their jarls admitted it or not, to the Crown of Norway, and the Scottish kings had no authority over them.[4c] Moreover, the Northmen—Danes and Norsemen and Gallgaels—held the western seas from the Butt of Lewis to the Isle of Man, and they had severed the connection between the Scots of Ulster and the Scots of Argyll. The latter had thus been forced to move eastwards, in order to avoid constant raids by the Irish Danes and Norsemen and the Gallgaels, who thus possessed themselves of all the coast of Scotland then known as Airergaithel or Argyll, which extended up to Ross and Assynt, west of the Drumalban watershed.

Of the next nine centuries from 1000 to the present time it is proposed to deal with the first two hundred and seventy years only, which, with the preceding

century and a half, form a chapter of Scottish history complete in itself. The narrative, as already stated, will be based largely upon the great Stories or Tales known as the *Orkneyinga, St. Magnus',* and *Hakonar Sagas,* and also upon Scottish and English chronicles and records so far as they throw their fitful light upon the northern counties of Scotland, and especially upon Caithness and Sutherland, during the dark periods between these Sagas.

Attention will have to be paid to the Pictish family of Moldan of Duncansby, of Moddan, created Earl of Caithness by his uncle Duncan I, and of Moddan "in Dale," each of whom in turn succeeded to much of the estates of the ancient Maormors of Duncansby, but whose people had been driven back from most of the best low-lying lands into the upper valleys and the hills by the foreign invaders of Cat. For, when the Norse Vikings first attacked Cat and succeeded in conquering the Picts there, they conquered by no means the whole of that province. They subdued and held only that part of Ness or modern Caithness which lies next its north and east coasts, and the rest of the sea-board of Ness, Strathnavern and Sudrland, forcing their way up the lower parts of the valleys of these districts, as their place-names still live on to prove; but they never conquered, so as to occupy and hold them, the upper parts of these river basins or the hills above them, which remained in possession of Picts and Gaels throughout the whole period of the Norse occupation. Further, the Picts and Gaels extended the area which they retained, until Norse rule was expelled from the mainland altogether.

In Strathnavern and in the upper valleys of its rivers, and also in Caithness in the uplands of the river Thurso, and in a large part of Sudrland the Pictish family and clan of Moddan in its various branches subsisted all through the Norse occupation,

and it is hoped to show good reason for believing that the family of Moddan, with the Pictish or Scottish family of Freskyn de Moravia in later times, was the mainstay of Scottish rule in the extreme north until the shadowy claims of Norse suzerains over every part of the mainland were completely repelled, and avowedly abandoned.

Meantime to Norway Orkney and Cat were essential. For their fertile lands yielded the supplies of grain which Norway required; and when the Norse were driven from the arable lands of the Moray seaboard, Orkney and Cat became still more necessary to them and their folk at home. Cat the Scots could not then reach, for the Norse held the sea, while on land Pictish Moray, a jealous power, hostile to its southern neighbours, lay in its mountain fastnesses between the territory of the Scots in the south and the land of Cat in the extreme north, and formed a barrier which stretched across Alban from the North Sea to the shores of Assynt on the Skotlands-fiorthr or Minch.

CHAPTER IV.

Thorfinn—Earl and Jarl.

MALCOLM II, with whom Scottish contemporary records may be said to begin, ascended the Scottish throne in 1005, and defeated the Norse at Mortlach in Moray in 1010, and drove them from its fertile seaboard, probably with the help of Sigurd Hlodverson, Jarl of Orkney. The men of Moray, however, and their Pictish Maormors remained ungrateful, and irreconcilably opposed to Scottish rule; and Moray, then stretching across almost from ocean to ocean,[1] barred the way of the Scots to the north.

What he could not achieve by arms, Malcolm, both before and after his accession, decided to secure by a series of matrimonial alliances. He had no son; but he had three available daughters,[2] of whom the eldest was Bethoc, and the two others are said to have been called Donada or Doada and Plantula.

1. *Bethoc* he married to the most powerful Pictish leader of the time, Crinan, Abthane of Dunkeld, the capital of the southern Picts, and they had issue
   (a) *Duncan,* afterwards Duncan I of Scotland, born about 1001;
   (b) *Maldred* of Cumbria, whose eldest son was Gospatrick, and whose second son was Dolfin; but with Maldred we are not concerned;
   (c) *A daughter,* who became the mother of Moddan, whom Duncan I, after his accession in 1034, created Earl of Caithness or Cat, probably about 1040, his father being possibly of the family of Moldan of Duncansby, whose sons Gritgard and Snaekolf, if we may believe the *Njal Saga,* were slain by Helgi

Njal's son and Kari Solmundarson, Moldan being said to be a kinsman of Malcolm the Scots king.

2. Malcolm's second daughter, *Donada,* he married to Finnleac or Finlay Mac Ruari, Maormor of North Moray, and a chief of the northern Picts, and they had a son, Macbeth, born about 1005, who succeeded Duncan I on his death in 1040 as King of Scotland, but left no issue.[3]
3. Malcolm's third daughter, said to have been called *Plantula,* he gave, about 1007, as his second wife to Sigurd Hlodverson, who, as we have seen, was killed in 1014 at the decisive battle of Clontarf, his wife having died probably before that event; and their only child was a son, born about 1008 and created Earl of Caithness and Sutherland, who became the great Earl and Jarl *Thorfinn.*

The three marriages were intended to secure to Malcolm the south, the middle, and the north of Pictland through the fathers of Duncan, Macbeth, and Thorfinn respectively; and we may note that from Thorfinn are descended all subsequent Jarls and Earls of Orkney and Shetland and Caithness of the so-called Norse line.

Duncan I, Macbeth, and Thorfinn Sigurd's son were thus first cousins, and, in spite of the fiction of Holinshed, Boece, and William Shakespeare, they were all about the same age, being born within seven years of each other; and none of them lived to old age.

By the victory of Carham in 1018 Malcolm II secured for ever the line of the Tweed as Scotland's southern frontier; and this success in the south, one of the most important events in Scottish history, left him free to extend his kingdom and sovereignty towards the north, his object being to unite into one realm the whole mainland at least of Scotland. To accomplish this, he would have to bring under the supremacy of the

Scottish crown in addition to the Picts of Atholl, whom the Scots had absorbed, the Gallgaels of Argyll, the Picts of Moray and of Ross within and beyond the Grampians, and those of the province of Cat, with the Norsemen there as well. He could thus ultimately hope to oust Somarled, Brusi and Einar, Jarl Sigurd's sons by his first wife, and their overlords, the Norse kings, from Orkney and Shetland, and to add those islands to his dominions. Meantime, Somarled, Brusi and Einar took no share in Cat. Thorfinn had Cat, all for himself, as a fief of the Scottish king.

Although the history of the time of Thorfinn Sigurdson, the first Scottish Earl of Caithness and Sutherland,[4] would have been of great interest to inhabitants of those counties, the *Orkneyinga Saga* contains but little information about his doings in them, because he bent all his efforts towards extending his dominion over the islands which formed his father Sigurd's jarldom, his policy, in his youth at least, being directed to this object by his grandfather, Malcolm II. Indeed during the life of that king, Thorfinn appears to have established himself at Duncansby in Caithness, on the shore of the Pentland Firth, and to have occupied himself in endeavouring to induce his three surviving half-brothers, Somarled, Brusi, and Einar, to part with as large a share as possible of Orkney and Shetland, and cede it to himself. In this he had much assistance from King Malcolm. Thorfinn, whose mother probably died in his infancy if we are to credit his father's matrimonial stipulations as regards an Irish wife in 1014, succeeded to the earldom and lands in that year, as a boy of about six years of age, and was early in coming to his full growth, the "tallest and strongest of men; his hair was black, his features sharp, his brows scowling, and, as soon as he grew up, it was easy to see that he was forward and grasping." From the description given

in the Saga at Chapter 22, he was no more a Norseman in appearance than he was by blood. He was, in fact, by race and descent, almost a pure Gael, and at Malcolm's court must have spoken only Gaelic.

Of his three half-brothers, Somarled and Brusi were not unwilling to give Thorfinn a share of the Orkney jarldom. For they were meek men, especially Brusi; and, when Somarled died, though Einar wanted two shares for himself, and fought to retain them, he only wearied out his followers and alienated them by his cruelty. They, therefore, went over to Thorfinn in Caithness. More important still, Thorkel Amundson, "the properest young man in Orkney," did likewise, and was thenceforward known as Thorkel Fostri, foster-father to Thorfinn, whom he aided at every crisis of his career.

When Thorfinn grew up, he claimed a third share of Orkney, and, not getting it, "called out a force from Caithness" where he mostly lived.[5] Brusi and Einar then pooled their share of the islands, Einar having the control of both; and Thorfinn got his trithing,[6] managing it by his men, who collected his scatt and tolls under Thorkel Fostri, whom Einar plotted to kill. Einar next seized Eyvind Urarhorn, a Norse subject of distinction, who had caused his complete defeat in Ulfreksfirth in Ireland, but was sheltering from a storm in Orkney, and killed him, to the great anger of the Norse king.

Grasping at once the opportunity thus created, Thorfinn determined to turn it to his own advantage. He sent Thorkel to King Olaf in Norway to seek protection for himself against Einar, and Thorkel came back bearing an invitation to Thorfinn to visit the Norwegian court, from which the jarl returned as much in favour with the king as Einar was in disgrace. Brusi then tried to reconcile Thorfinn and Einar, and Thorkel was to be included in the settlement. Thorkel, however,

after inviting Einar to a feast in his hall at Sandvik in Deerness, a promontory south-east of Kirkwall, discovered a plot by Einar to attack him by three several ambushes as they left the house. In a striking scene, the Saga tells how Thorkel, wounded, and Halvard, an Icelander, dispatched Einar at the hearth of the hall; how Einar's followers did not interfere; and how Thorkel fled to King Olaf in Norway, who was much gratified by the death of Einar, the slayer of his own friend Eyvind Urarhorn.[7]

On Einar's death, Brusi tried to get two-thirds of the isles, but Thorfinn now claimed a half share, and King Olaf, in spite of a visit by Thorfinn to him in Norway, ultimately awarded Brusi two-thirds, Thorfinn having the rest. Brusi, however, being unable to defend the isles from pirates, about the year 1028 gave up one of his trithings to Thorfinn on his undertaking the defence of the isles,[8] for which a powerful fleet would be essential, and Brusi died in 1031.

After this settlement of their claims, Malcolm II died in 1034 at the age of eighty; and his death wrecked his policy. For Duncan, his grandson, the Karl Kundason of the Saga, on his accession to the Scottish throne claimed tribute from his cousin Thorfinn for Caithness. Payment was at once refused, and six years of strife, interrupted by Duncan's unfortunate raids south of the Tweed, ended by his creating Mumtan or Moddan, his own sister's son, Earl of Caithness instead of Thorfinn. With a force collected in Sudrland, which thus appears to have been on the Scottish side, Moddan tried to make good his title, but Thorfinn raised an army in Caithness, and Thorkel collected another for him in Orkney, and the Scots retired before superior numbers. "Then Earl Thorfinn fared after them, and laid under him Sudrland and Ross and harried far and wide over Scotland; thence he turned back to Caithness," and "sate at Duncansby, and had

there five long-ships . . . . and just enough force to man them well."[9]

After his retirement in Caithness, Moddan went to Duncan at North Berwick, and Duncan sent him back with another force by land to Caithness, proceeding thither himself by sea with eleven ships. Duncan caught Thorfinn and his five ships off the Mull of Deerness in the Mainland of Orkney, where, after a stiff hand-to-hand fight, the Scots fleet was defeated and chased southwards by Thorfinn to Moray, which he ravaged.[10]

Finding that Moddan and his army were in Thurso, Thorfinn sent Thorkel Fostri thither secretly with part of his forces, and he set fire to the house in which Moddan was, and killed him there as he tried to escape. Thorkel next raised levies in Caithness, Sutherland, and Ross, joined forces with Thorfinn in Moray, and harried the land, whereupon Duncan collected an army from the south of Scotland and Cantire and Ireland, and attacked his enemies in the north.

A great battle ensued near the Norse stronghold of Turfness,[11] probably Burghead, where peat is found in abundance, though now submerged; and the battle was fought at Standing Stane in the parish of Duffus, three miles and a half E.S.E. of Burghead, on the 14th of August 1040.

The Saga gives the following description of the jarl and of the fighting:—

"Earl Thorfinn was at the head of his battle array; he had a gilded helmet on his head, and was girt with a sword, a great spear in his hand, and he fought with it, striking right and left. . . . . He went thither first where the battle of those Irish was; so hot was he with his train, that they gave way at once before him, and never afterwards got into good order again. Then Karl let them bring forward his banner to meet Thorfinn; there was a hard fight, and the end of it was

that Karl laid himself out to fly, but some men say that he has fallen."

"Earl Thorfinn drove the flight before him a long way up into Scotland, and after that he fared about far and wide over the land and laid it under him."[12]

Then followed Thorfinn's conquests in Fife, and after relating the failure of a Scottish force, which had surrendered, to kill him by surprise, the Saga gives a lurid picture of his burnings of farms and slayings of all the fighting men, "while the women and old men dragged themselves off to the woods and wastes with weeping and wailing," and it also tells of his journey north along Scotland to his ships.[13] "He fared then north to Caithness, and sate there that winter, but every summer thenceforth he had his levies out, and harried about the west lands, but sate most often still in the winters," feasting his men at his own expense, especially at Yuletide, in true Viking style.

Allowing for exaggeration, it is not too much to say that Thorfinn and his cousin Macbeth must, after the death of their cousin Duncan in 1040, between them have held all that is now Scotland save the Lothians, until about 1057, when Macbeth was slain. To us it is interesting to note that Duncan died, not in old age, (as Shakespeare, following Boece and the English chronicler Holinshed would have us believe) but a young man of thirty-nine years, either in, or after, Thorfinn's battle, and that he fell a victim not of Groa, Macbeth's wife's cup of poison, but possibly of her husband's dagger at Bothgowanan or Pitgavenny, a smithy about two miles from Elgin. We should also note that Thorfinn's cruelty made it difficult for him ever to hope to obtain and keep the throne of Scotland, which thus fell to Macbeth.

Meantime Jarl Brusi had died about 1031, and though he left a son Ragnvald, this son was long abroad in Norway, where he was taught all the accom-

plishments suitable to his rank, and remained there at the time of his father's death.[15] Ragnvald Brusi-son was "one of the handsomest of men, his hair long and yellow as silk, and he was stout and tall and an able splendid man of great mind and polite manners." He had saved King Olaf's brother Harald Sigurdson at the great battle of Stiklastad, after King Olaf, Ragnvald's own foster-father, was killed, and had fought with great distinction in Russia. Shortly after his father's death, Ragnvald returned, and, fortified by a grant from King Magnus of Norway, whom he had helped to gain the throne, claimed his father's two trithings of the Orkney jarldom. To this Thorfinn, who after 1034 had his hands full with his war with King Duncan, and had always wars with the Hebrides and the Irish, agreed, and the two joined forces, and sailed on Viking raids to the Hebrides and England.[16]

About 1044 Thorfinn married Ingibjorg,[17] Finn Arnason's daughter, and it is interesting to find that in the *Saga Book of the Viking Club,* Vol. IV, page 171, Mr. Collingwood suggests that the King of Catanesse, who fought for years to gain possession of Gratiana, the lost wife of William the Wanderer, was Thorfinn. If this story be founded on fact, as it probably is, this may account for his somewhat late marriage with Ingibjorg.

Thorfinn next claimed two trithings of Orkney from his nephew Ragnvald, who demurred to giving up what the Norse king had conferred on him, but, finding he could not cope with Thorfinn's Orkney, Caithness and Scottish forces, Ragnvald fled to King Magnus, who gave him a force of picked men, and bade Kalf Arnason also to help him, although Kalf was Thorfinn's friend, and near connection by marriage.

The two jarls met in battle in the Pentland Firth, off Rautharbiorg or Rattar Brough in Caithness, east of Dunnet Head, Kalf Arnason with his six ships stand-

ing out of the fight. Thorfinn had sixty ships, smaller, and, save Thorfinn's own, lower in the waist than those of his enemy, who thus easily boarded them, and then attacked Thorfinn. Surrounded and boarded on both sides, Thorfinn cut his ship free and rowed to land. Arrived there, he removed his seventy dead, and all his wounded. Next he persuaded Kalf Arnason to join him with his six ships, and renewed and won the fight, though Ragnvald himself escaped to Norway.[18]

Sailing thence in 1046 with one ship and a picked crew, Ragnvald surrounded Thorfinn,[19] who was wintering in Mainland of Orkney, and set fire to the Hall at Orphir in which he was, but the earl tore out a panel at the back, and, escaping through it with his young wife Ingibjorg in his arms, rowed in the dark over to Caithness, where he remained in hiding among his friends, all in Orkney believing him dead. Ragnvald then seized all the islands, and lived at Kirkwall.

But, while Ragnvald was in Little Papey—now Papa Stronsay—to fetch malt for Yuletide, Thorfinn returned, and surrounded the house in which Ragnvald was, by night; and, on his escaping by leaping through the besiegers in priestly disguise, Thorfinn's men followed him, and, led by his lapdog's barking, discovered him among the rocks by the sea, where Thorkel Fostri slew him, Thorfinn meanwhile annihilating his following, save one man. This man, who like the rest, was one of King Magnus' bodyguard, he bade go to his king and tell the tale, and he seized Kirkwall by stratagem. Jarl Ragnvald is said to have been a man of large stature and great strength, and to have been buried in Papa Westray, but a grave nearly eight feet long, that would fit him, has been found where he fell in Papa Stronsay.

All this left Thorfinn with his great aim achieved. He was now sole jarl of Orkney and Shetland, and sole earl of Caithness and Sutherland, and he also held

Ross and the western islands and coast down to Galloway, and part of Ireland, as his *rikis* or conquered tributary lands.

The fourth and last period of his career now begins with his dramatic visit to King Magnus in Norway; and, on the death of that king, he became the friend of his successor, Harald Hardrada, in 1047, and after visiting King Sweyn in Denmark, and Henry III, Emperor of Germany, rode south to Rome probably in 1050 along with, it is said, his cousin Macbeth, king, and a good king, of Scotland, returning thence to Orkney to his Hall at Birsay at the north-west corner of Mainland. Thorfinn went to the Pope not only for absolution, but to get Thorolf appointed bishop in Orkney, according to Adam of Bremen, c. 243.

We now come to the last years of the fourth period of his life, when "the earl sate down quietly and kept peace over all his realm. Then he left off warfare, and he turned his mind to ruling his people and land, and to law-giving. He sate almost always in Birsay, and let them build there Christchurch,[20] a splendid Minster. There first was set up a bishop's seat in the Orkneys."

The Annals of Tighernac record a great Norse expedition with the aid of the Galls of Orkney and Innse Gall and Dublin to subdue the Saxons in 1057, which failed. It is strange that we hear nothing of Thorfinn in this, and the question arises whether he had died before it took place. Had he been alive, such an expedition would hardly have been possible without him.[21] It is interesting to note that so accurate a chronicler as Sir Archibald Dunbar dates his widow Ingibjorg's marriage to Malcolm III in 1059. (See *Scottish Kings,* p. 27.)

Thorfinn's life forms the subject of no less than twenty-six chapters of the *Orkneyinga Saga.*[22] In his childhood, and later at all the main turning points of

his life, he was blessed with the constant care and touching devotion, and with the able counsel and active assistance of his foster-father, Thorkel Fostri, the slayer of his three chief competitors—Jarl Einar and Earl Moddan and Jarl Ragnvald Brusi-son—the captain of his armies, the collector of his revenues and the guardian, in his absence on his Viking cruises and in his travels abroad, of his widespread dominions. There is a tradition[23] that Thorkel founded the rock-castle of Borve, near Farr on the north coast of Sutherland, which was demolished by the Earl of Sutherland in 1556; but Thorkel is a common name among Vikings, and the story is otherwise unauthenticated.

According to the Saga, Thorfinn died of sickness "in the latter days of Harald Hardrada," (who was killed in September 1066), near the church which he founded, in his Hall at Birsay, north of Marwick Head in the north-west corner of Mainland of Orkney, within a few miles of the scene of Earl Kitchener's recent death at sea, so that the greatest of our jarls and of our earls rest near each other, the great Viking on the shore, and the great soldier in the ocean.

The chronology of Thorfinn and Ingibjorg his wife is extremely difficult, but on the whole we incline to think that he was born in 1008, and, as grandson of the king regnant, was created an earl at his birth, married Ingibjorg, then quite young, in 1044, and died in 1057 or 1058, after being an earl for his whole life of "fifty years," while his widow married Malcolm III in 1059. The phrase "in the latter days of Harald Hardrada" is after all an expression wide enough to cover the last seven years of a reign of twenty-one years, and it is unlikely that a marriage of policy would be postponed for more than the year or two after Malcolm's accession in 1057, during which he was engaged in defeating the claims of Lulach to his throne and settling his kingdom.

CHAPTER V.

Paul and Erlend, Hakon and Magnus.

AFTER Earl Thorfinn's death his sons Paul and Erlend jointly held the jarldom, but divided the lands. They were "big men both, and handsome, but wise and modest"[1] like their Norse mother Ingibjorg, known as Earls'-mother, first cousin of Thora, queen of Norway, mother of King Olaf Kyrre.

On Thorfinn's death, however, the rest of his territories, nine Scottish earldoms, it is said, "fell away, and went under those men who were territorially born to rule over them;" that is to say, they reverted to Scottish Maormors;[2] but Orkney and Shetland remained wholly Norse, and under Norse rule.

The date of the succession of Paul and Erlend to the Norse jarldom[3] was, as we have seen, after 1057. Possibly in 1059, or certainly not later than 1064 or 1065, Ingibjorg, Thorfinn's widow, as by Norse law widows alone had the right to do, "gave herself away" to the Scot-King Malcolm III, known as Malcolm Canmore.[4]

As a matter of policy, the marriage was a wise step. For it would tend to strengthen not only the hold of Scotland on Caithness and Sutherland, but also its connection with Orkney and Shetland, because Ingibjorg's sons, the young jarls Paul and Erlend, would become stepsons of the Scottish king and earls of Caithness. Nor was the marriage unsuitable in point either of the age or of the rank of the contracting parties. Married to Thorfinn about 1044,[5] Ingibjorg, his widow, need not in 1064 have been more than forty. She may have been younger, and Malcolm was, in 1064, about thirty-three. If the marriage was in 1059, Ingibjorg would be only thirty-five and Malcolm

twenty-eight. That Ingibjorg was not old is proved by the fact that she had by Malcolm one son and possibly three sons,[6] namely, Duncan II, and, it may be, also Malcolm and Donald. As regards rank, also, she was equal to Malcolm, being a cousin of the Queen of Norway, and widow of Thorfinn grandson of Malcolm II, the great jarl of Orkney who had then recently subdued all the north of Scotland and the Western Isles and Galloway to himself, while Malcolm III was in exile in England, whence he had been brought back with the greatest difficulty, not by a Scottish force but by the help of an English, or at least a Northumbrian army.

After his marriage with Ingibjorg it is clear that there was peace for thirty years in the north of Scotland, so far as the Norse jarls were concerned, a fact which of itself justified the marriage, which, however, may have afterwards been held to have been within the prohibited degrees, and therefore void, while its issue would be held to be illegitimate, and not entitled to succeed to the Scottish crown.

We may add that there is nothing in any Scottish record to prove this marriage or to disprove it.

The first important event in the lives of Paul and Erlend happened just before the Norman conquest of England. They joined King Harald Sigurdson (Hardrada) and his son Prince Olaf, who was their second cousin on their mother's side,[7] in an attack on England; and, after Harald's death, and his army's defeat by King Harold Godwinson of England at Stamford Bridge, in September 1066, (three days before William the Conqueror landed at Pevensey) the two Orkney jarls were taken prisoner, but, along with Prince Olaf, they were released. On their return to Orkney, Paul asked the Archbishop of York to consecrate a cleric of Orkney as Bishop in Orkney, and the two brothers ruled harmoniously there until their sons Hakon on

the one hand and Magnus and Erling on the other, who had been engaged in Viking cruises together as boys, grew up and quarrelled, and, as is usual, drew their fathers into the strife. This strife was provoked by Hakon, and apparently lasted for many years,[8] Erlend supporting his own sons, and driving Hakon abroad to Norway about the year 1090. Neither Paul nor Erlend seems to have been much in Sutherland or Caithness, in which the representatives of the Gaelic Maormors or Chiefs probably regained power, especially the family of Moddan, and extended their territories.

Meantime King Magnus Barelegs[9] of Norway, instigated by Hakon, and taking advantage of the contentions between 1093 and 1098 of the various claimants of the Scottish crown, Donald Bane (whom he supported), Duncan II, and Edgar, had made his several expeditions, in the closing years of the eleventh century, against the western islands and coasts of Scotland and Wales. In the battle of the Menai Straits in 1098 we find that he had with him young Hakon Paulson, and also Erling and Magnus, Jarl Erlend's sons, though Magnus, who had repented of his early Viking ways, after declining to take part in the fight against an enemy with whom he had no quarrel, escaped to the Scottish court.[10] In 1098 King Magnus had deposed and carried off Jarls Paul and Erlend to Norway, where they died soon after; and in the meantime he had appointed his own son, Sigurd, to be ruler of Orkney and Shetland in their place.[11] But on King Magnus' death, during his later expedition to Ireland, where Erling Erlendson probably also fell, Prince Sigurd had to quit Orkney in order to ascend the Norwegian throne, leaving the jarldom vacant for the two cousins, Hakon Paulson and Magnus Erlendson. The latter appears to have stayed for some years at the Scottish Court and afterwards with a bishop in Wales,

and again in Scotland, but on hearing of his father's death, went to Caithness, where he was well received and was chosen and honoured with the title of "earl" about 1103. A winter or two after King Magnus' death, or about 1105, Hakon came back from Norway with the title of Jarl, seized Orkney, and slew the king of Norway's steward, who was protecting Magnus' share, which after a time Magnus claimed, only to find that Hakon had prepared a force to dispute his rights. Hakon agreed, however, to give up his claims to Magnus' half share if Magnus should obtain a grant of it from the Norwegian king.[13] King Eystein about 1106 gave him this moiety and the title of Jarl; and the two cousins lived in amity for "many winters," joining their forces and fighting and killing Dufnjal,[13] who was one degree further off than their first cousin, and killing Thorbjorn at Burrafirth in Mainland of Shetland "for good cause." Magnus then married, probably about 1107, "a high-born lady, and the purest maid of the noblest stock of Scotland's chiefs, living with her ten winters" as a maiden. After "some winters" evil-minded men set about spoiling the friendship of the jarls, and Hakon again seized Magnus' share; whereupon the latter went to the court of Henry I of England, where he appears to have charmed everyone, and to have spent a year, probably 1111, in which Hakon seized all Orkney, and also Caithness, which then included Sutherland, and laid them under his rule with robbery and wantonness. Leaving Caithness, Hakon at once went to attack Magnus in Orkney where he had landed; but the "good men" intervened, and an equal division of Orkney and Shetland and Caithness was made between the jarls. After some winters, however, they met in battle array in Mainland, and the fight was again stopped by the principal men on either side in their own interest, the final settlement being postponed until a meeting, which was to

take place in Egilsay in the next spring. Magnus arrived first at the meeting-place with the small following of two ships agreed upon, but Hakon came later in seven or eight ships with a great force, and, after those present had refused to let both come away alive, Magnus was treacherously murdered under Hakon's orders by Hakon's cook on the 16th of April 1116. The dead jarl's mother, Thora, had prepared a feast in Paplay to celebrate the reconciliation of the two cousins, which, notwithstanding the murder, Hakon attended. After the banquet the bereaved mother begged her son's corpse for burial in holy ground, and obtained it from the drunken earl after some difficulty and buried it in Christ's Kirk at Birsay. Twenty-one years after, on the 13th December 1137, Jarl Magnus' relics were brought[14] to St. Magnus' Cathedral at Kirkwall.

After making due allowance for the legends which generally cluster round a saint or jarl, and grow with time, and for the desire for dramatic contrast and effect, we must give credit to the writer of the *Orkneyinga Saga,* probably the Orkney Bishop Bjarni,[15] for the vividness and simplicity of his account of St. Magnus' life and of the two most striking episodes in it—his moral courage as a non-combatant in the battle of Menai Straits, and his saintly forgiveness of his murderers in his death-scene on Egilsay; and we must hold him worthy alike of his aureole and of the noble Norman cathedral afterwards erected in his memory by his nephew, St. Ragnvald Jarl, at Kirkwall, which took the place of Thorfinn's church at Birsay as the seat of the Orkney bishopric. Magnus, it seems, was all through assisted by the Scottish king, and favoured by the Caithness folk,[16] yet the Saga jealously claims him as "the Isle-earl,"[17] and adds the following description of him:—

"He was the most peerless of men, tall of growth,

manly, and lively of look, virtuous in his ways, fortunate in fight, a sage in wit, ready-tongued and lordly-minded, lavish of money and high spirited, quick of counsel, and more beloved of his friends than any man; blithe and of kind speech to wise and good men, but hard and unsparing against robbers and sea-rovers; he let many men be slain who harried the freemen and land folk; he made murderers and thieves be taken, and visited as well on the powerful as on the weak robberies and thieveries and all ill-deeds. He was no favourer of his friends in his judgments, for he valued more godly justice than the distinctions of rank. He was open-handed to chiefs and powerful men, but still he ever showed most care for poor men. In all things he kept straitly God's commandments."

As for Hakon, his cousin Magnus' death without issue left him sole Jarl, "and he made all men take an oath to him who had before served Earl Magnus. But some winters after, Hakon . . . . fared south to Rome, and to Jerusalem, whence he sought the halidoms, and bathed in the river Jordan, as is palmer's wont.[18] And on his return he became a good ruler, and kept his realm well at peace." He probably then built the round church at Orphir in Mainland of Orkney, the only Templar Church in Scotland.

By Helga, Moddan's daughter, whom he never married, Hakon had a son Harald Slettmali (smooth-talker, or glib of speech), and two daughters, Ingibiorg and Margret. Ingibiorg afterwards married Olaf Bitling, king of the Sudreys; and Ragnvald Gudrodson, the great Viking, was of her line, and, as we shall see, in 1200 or thereabouts, had the Caithness earldom conferred upon him for a short time. To Margret we shall return later. By a lawful wife Hakon had another son, Paul the Silent, and it seems certain that Paul was not by the same mother as Margret or Harald Slettmali, and that Paul's mother was not of Moddan's family.

Moddan, Earl of Caithness, was killed in 1040. His mother, daughter of Bethoc, must have been born after 1002. If she was married at seventeen, her son Earl Moddan could not have been more than twenty when killed in 1040, and any son of his must have been born by 1041 at latest. This son may have been Moddan in Dale. Dale was the valley of the upper Thurso River, the only great valley of Caithness, and the Saga states as follows:—

Moddan[19] "then dwelt in Dale in Caithness, a man of rank and very wealthy," and "his son Ottar was jarl in Thurso." Frakark, a daughter of Moddan in Dale, was the wife of Liot Nidingr, or the Dastard, a Sudrland chief, and during the half century after Thorfinn's death Moddan's family seems to have owned much of Caithness and Sutherland, where the Norse steadily lost their hold. We may be sure also that the Celt always kept his land, if he could, or, if he lost it, regained it as soon as he could. Amongst its members this family probably held all the hills and upper parts of the valleys of Strathnavern, Sutherland and Ness at this time, and, from a centre on the low-lying land at the head waters of the Naver, Helmsdale and Thurso rivers, kept on pressing their more Norse neighbours steadily outwards and eastwards.

Shortly after Hakon's death in 1123, King Alexander I and his brother, David I, began to organise the Catholic Church in Scotland, and also to introduce feudalism. Even in the north of Scotland, between the years 1107 and 1153 they founded monasteries and bishoprics, and introduced Norman knights and barons holding land by feudal service from the Crown. Long thwarted in their policy by Moray and its Pictish maormors, who claimed even the throne itself, these two kings pushed their authority, by organisation and conquest, more and more towards the north. Alexander I founded the Bishoprics of St. Andrew's, Dunkeld,

and Moray in 1107, and the Monastery of Scone, afterwards intimately connected with Kildonan in Sutherland, in 1113 or 1114. David I, that "sair sanct to the croun," who succeeded in 1124, founded the Bishoprics of Ross and of Caithness in 1128 or 1130, and of Aberdeen in 1137, and endowed them with lands. The same king[20] between 1140 and 1145 issued a mandate "to Reinwald Earl of Orkney and to the Earl and all the men of substance of Caithness and Orkney to love and maintain free from injury the monks of Durnach and their men and property," and also in some year between 1145 and 1153, he granted Hoctor Common[21] near Durnach, to Andrew, Bishop of Caithness, whose see was then well established there, and he spent the summer of 1150, while he was superintending the building of the Cistercian abbey of Kinloss, in the neighbouring Castle of Duffus, whose ruins still stand, with Freskyn de Moravia, the first known ancestor of the Earls of Sutherland.[22]

Freskyn, probably about 1130[23] or earlier, had built this castle on the northern estate, comprising the parish of Spynie near Elgin and other extensive lands in Moray, which had been given to him in addition to his southern territories of Strabrock, now Uphall and Broxburn[24] in Linlithgowshire, which he already held from the Scottish king. Freskyn was thus no Fleming, but a lowland Pict or Scot, as the tradition of his house maintains,[25] and he was a common ancestor of the great Scottish families of Atholl, Bothwell, Sutherland, and probably Douglas. No member of the Freskyn family is ever styled "Flandrensis" in any writ.

We find in the extreme north of Scotland, in the first half of the twelfth century, apart from the Mackays, three leading families with great followings, which were destined to play an important part in the future government of Sutherland and Caithness, and with which we shall have to deal in detail later on.

First, there was the family of the so-called Norse jarls, descended in twin strains from Paul and Erlend, Thorfinn's sons, owing allegiance to the Norwegian crown in respect of Orkney and Shetland and also holding the earldom of Caithness in moieties or in entirety, nominally from the Scottish king. Secondly, we have the family of Moddan, Celtic earls or maormors, with extensive territories held under the kings of Alban and Scotland for many centuries before this time, but dispossessed in part by the Norse. Thirdly, we have the family of Freskyn de Moravia then established at Strabrock in Linlithgowshire, who about 1120 or 1130 received, for his loyalty and services, extensive lands at Duffus and elsewhere in Morayshire, and probably about 1196 the lands in south Caithness known as Sudrland or Sutherland, from the Scottish crown.

Of this third line of De Moravias or Morays, two distinct branches settled north of the Oykel. First, we have Hugo Freskyn, son, it is said, but, as we shall see, really grandson, of the original Freskyn and son of Freskyn's elder or eldest son William.[26] This William no doubt fought for, and may, or may not, have held land in Sutherland, but his son Hugo certainly had all Sutherland properly so called, that is, Sudrland, or the Southland of Caithness comprising the parishes of Creich, Dornoch, Rogart, Kilmalie (afterwards Golspie), Clyne, Loth, and most of Lairg and Kildonan,[27] formally granted to him, and he held also the Duffus Estates in Moray, by sea only thirty miles south of Dunrobin.

The second branch was that of the younger Freskin de Moravia, great-great-grandson of the original Freskyn,[28] and ancestor of the Lords of Duffus, who obtained lands, which were mainly in modern Caithness, and also in the upper portion of the valley of the Naver and the valley of Coire-na-fearn in Strath-

navern, by marriage with the Lady Johanna of Strathnaver about 1250.[29] This latter portion was immediately north of the land granted to Hugo Freskyn; and the Caithness portion of Johanna's lands marched with Hugo's land on its eastern boundary. Nor must we forget that a large area of the modern county of Sutherland, consisting of part of the present parishes of Eddrachilles and Durness and some part of Tongue and Farr in Strathnavern, was constantly used as a refuge by Pictish refugees of the race of MacHeth or MacAoidh, displaced and frequently driven forth from Moray after the bloody defeat of Stracathro in 1130 and in later rebellions as part of the policy of the Scottish kings, and first known as the race of Morgan and then to us as the Clan Mackay.

They chose, indeed, for their refuge and ultimately for their settlements a rugged and sterile land, to which their original title was no charter, but their swords. Difficulties, it is said, make character, and nowhere is this proverbial saying better illustrated and proved than in the Reay country by its men and women. They have given their own and other countries many fine regiments and distinguished generals and statesmen, and none more so than the late Lord Reay. Their history is to be found in the *Book of Mackay,* a piece of good pioneer work from original documents by the late Mr. Angus Mackay, and also in his unfortunately unfinished *Province of Cat.*

Yet another family, of Norse and Viking lineage, which was settled in Orkney from the earliest Norse times and afterwards in Caithness and Sutherland, was that of the Gunns, who were descended in the male line from Sweyn Asleifarson the great Viking, and on the female side from the line of Paul, and later were by marriage connected with the Moddan clan and with the line of Erlend. They have for nine centuries lived and still live in Sutherland and Caith-

ness, and have been noted alike for the beauty of their women, and for the high attainments and character and the distinction of their men, particularly in the art of war, both by land and sea.

Their descent from Jarl Paul and Sweyn is clear in the Sagas as far as Snaekoll Gunnison and no further. It was as follows:—Paul Thorfinnson had four daughters, of whom the third was Herbjorg, who had a daughter Sigrid, who in turn had a daughter Herbjorg, who married Kolbein Hruga. One of their sons was Bishop Bjarni and their youngest child was a daughter Frida, who married Andres, Sweyn Asleifarson's son, and their son was Gunni, the father, by Ragnhild, Earl and Jarl Harald Ungi's sister, of Snaekoll Gunnison. We suggest later that Snaekoll Gunnison was the father, before his flight to Norway, of a daughter, Johanna of Strathnaver, who inherited the Moddan and Erlend estates, or that she was otherwise Ragnhild's heiress.

The male line of the Gunns, according to a pedigree which the writer has seen, was continued after his flight by Snaekoll who, it is stated, had a son, Ottar, living in 1280. But after Snaekoll's flight his right to succeed to Ragnhild's estates was doubtless forfeited, and they were granted on his father's and mother's death to Johanna on her marriage with Freskin de Moravia of Duffus about 1245 or later, before Ottar's birth.

With the descent of the Gunns in the male line downwards we are not here concerned. But Snaekoll's forfeiture probably cost their male line the Moddan and Erlend lands, which were granted to Johanna of Strathnaver in Snaekoll's absence abroad.

CHAPTER VI.

The Moddan Family—Jarls Harald and Paul and Ragnvald.

FROM the short forecast of the future given above, let us turn back to the point whence we digressed, namely the year 1123, when Jarl Hakon Paulson died at the close of the reign of Alexander I of Scotland.

Jarl Hakon was succeeded by his sons, Harald the Glib (Slettmali) and Paul the Silent (Umalgi). Jarl Paul lived mainly in Orkney, while Jarl Harald "was seated in Sutherland, and held Caithness from the Scot king" David I, who was crowned in 1124.[1] All Harald's sympathies seem to have been Scottish, and he was born, bred, and brought up among Scotsmen, or Picts, probably in North Kildonan. He was always there with Frakark, daughter of Moddan in Dale, then a widow, her husband Liot Nidingr or the Dastard being dead; and Frakark and her sister Helga, Jarl Hakon's mistress, "had a great share in ruling the land"; while Audhild, daughter of Thorleif, Frakark's sister, also lived with Frakark,[2] and was the mistress at this time of one of the strangest characters in the Saga, Sigurd Slembi-diakn, or the Sham-deacon. Hakon's son Paul being, as appears certain, by a different mother not of the Moddan line, Frakark and Helga aimed at obtaining the whole jarldom of Orkney for Harald, Helga's son by Earl Hakon. With the object of getting rid of Paul, they went over with Sigurd Slembi-diakn to Orphir in Orkney; and we have the story of the poisoned shirt,[3] made there by Frakark and Helga, and by them intended for Paul, but put on, in spite of their expostulations and entreaties, by Harald, who died of its poison, leaving, however, one son, Erlend, then an infant.

After this, Jarl Paul banished these ladies from Orkney about 1127, and they "fared away with all their kith and kin, first to Caithness, and then up into Sutherland to those homesteads which Frakark owned there,"[4] and tradition[5] locates her residence at Shenachu or Carn Shuin, on the east side of the River Helmsdale near Kinbrace above the road. Possibly, however, they lived at Borrobol, the "Castle Farm";[6] and there "there were brought up by Frakark Margret, Earl Hakon's daughter, and Helga, Moddan's daughter," and also Eric Stagbrellir, Frakark's grandnephew, and son of her niece Audhild by Eric Streita, a Norseman, as well as Olvir Rosta and Thorbiorn Klerk, both Frakark's grandsons, all of whom come prominently into our story. Audhild's son, Eric Stagbrellir, in the end was the survivor of these, as well as of all males of the Moddan line, and ultimately we hear of no descendants in Cat of any of them save of Eric, and Eric's marriage with Ingigerd, St. Ragnvald Jarl's only child, is the link between the line of Erlend and that of Moddan, which united the Erlend and Moddan estates.

Of the line of Thorfinn we already know the royal origin and descent from Malcolm II's third daughter.

Of the Moddan line the Saga says[7]—"These men were all of great family and great for their own sakes, and they all thought they had a great claim in the Orkneys to those realms which their kinsman Earl Harald (Slettmali) had owned. The brothers of Frakark were Angus of the open hand, and Earl Ottir in Thurso: he was a man of birth and rank." These children of Moddan were probably of royal lineage or kinship, as Moddan, who had been created Earl of Caithness by King Duncan I, was that king's sister's son, and was probably, as we have seen, their ancestor or kinsman. They were also probably descended more remotely from Moldan, Maormor of Duncansby,

a kinsman of Malcolm II, but had all been driven back from the coast, save Earl Ottir, who lived at Thurso, and probably owned its valley up to its source in the Halkirk and Latheron hills.

The death of Harald the Glib by poison left Paul *de facto* sole jarl of Orkney. We are told[8] that "Paul was a man of very many friends, and no speaker at Things or meetings. He let many other men rule the land with him, was courteous and kind to all the landfolk, liberal of money, and he spared nothing to his friends. He was not fond of war, and sate much in quiet." We may be sure that he was little, if ever, in Sutherland, the country of his enemy Frakark. His rule was, however, destined to be disturbed, on the one hand by the Moddan family's plots, and, on the other hand, by a Norse competitor for the jarldom, Kali, son of Kol and Gunnhild, Jarl St. Magnus' sister, who had been re-named Ragnvald from his resemblance to the handsome Jarl Ragnvald Brusi's son, and was afterwards designated Jarl of Orkney by King Sigurd of Norway, as the representative of the line of Erlend, Thorfinn's son.

With Jarl Ragnvald, Jarl St. Magnus' sequel in estate, and himself afterwards St. Ragnvald, who was much in Caithness and Sutherland, and seems to have held and acquired considerable estates there, begins what is practically a new Saga, which may be styled "The Story of Ragnvald, and of Sweyn" the great Viking. Of these two we have perhaps the finest and most vividly painted pictures of the *Orkneyinga Saga,* full of dramatic touches, full, too, of interesting historical detail.

First, we have a portrait of the young Ragnvald as Kali Kolson in his youth at Agdir in Norway, with his mother Gunnhild, sister of Jarl St. Magnus Erlend's son, and his shrewd old father Kol. We are told that Kali was "the most hopeful man" or man of promise,

"of middle stature, fine of limb, with light brown hair"; how he "had many friends, and was a more proper man both in body and mind than most of the other men of his time, a good player at draughts, a facile writer of runes, and a reader of books, good at smith's work, ski-ing, shooting, and rowing, and as skilful at song as at the harp."[9]

At the age of fifteen, he traded to Grimsby, where many Norwegians and Orkneymen came, and many from the Hebrides; and here he met Harald Gillikrist, who became his firm friend, and confided in him alone that he, Harald, was the son of King Magnus Barelegs, asking how he would be received by King Sigurd of Norway, and obtaining the diplomatic reply that he would be well received by the king, if others did not spoil his welcome. Then Kali returns to Bergen in 1116, about the time of Jarl Magnus' murder by his cousin Jarl Hakon, and after a friendship and a feud with Jon Peterson, which is amicably settled by the marriage of Jon with Kali's sister Ingirid, and of which the description well illustrates the manners and law of the times, is made Jarl Ragnvald of Orkney by King Sigurd; and on that king's death in 1126 he is confirmed in the title by his friend King Harald, for whom he fought in the battle for the throne at Floruvoe near Bergen, when King Magnus was captured, maimed, and deposed by Harald in 1135.

Jarl Paul, however, refused to part with half the isles; and, acting on Kol's advice, Jarl Ragnvald's messengers apply for aid in obtaining it to Frakark and her grandson Olvir Rosta in Kildonan, and offer them Paul's half share if they will help Ragnvald to secure his half. Frakark, having previously arranged that her niece Margret, the daughter of Earl Hakon and Helga, should marry Earl Maddad of Athole, second cousin to David I, as his second wife, thought that Orkney might be had, with half the jarldom and

all Caithness, for Margret's son Harold Maddadson, then an infant in arms.

Ragnvald and Frakark then made common cause.[10] But in 1136 Paul defeated Frakark's ships in a sea fight off Tankerness in Deer Sound in Orkney, and immediately afterwards seized Jarl Ragnvald's fleet in Yell Sound in Shetland, though Ragnvald and his men escaped to Norway in merchant vessels, to return later on.[11]

Meantime Olvir Rosta, Frakark's grandson, who had been stunned and nearly drowned in the sea fight at Tankerness, in which Sweyn's and Gunni's father, Olaf Hrolf's son, had aided Jarl Paul, burned Olaf alive in his home at Duncansby, Asleif, Olaf's wife, escaping only because she was absent at the time. Further, Valthiof, Sweyn's elder brother, was drowned in the roost of the West-firth, while rowing south to Jarl Paul's Yule Feast. Sweyn Asleifarson, as he was ever afterwards called, then went to Paul's Hall at Orphir to complain of Olvir Rosta. The news of his brother's death, which arrived during the feast, was considerately withheld from him, and he was greatly honoured there; but he roused the jarl's anger by slaying Sweyn Breast-rope, the jarl's forecastle-man, at Orphir, not indeed so much for the murder, as because Sweyn had fled and did not come to submit himself after it to the jarl, and so offended him.[12]

Then follow the stories, well worth reading in the Saga itself, of the raising and lowering of the sails on Ragnvald's ships and of the mutiny of Paul's followers, and of the dowsing of the beacons on the Fair Isle by Uni, Ragnvald's ally, of Ragnvald's landing in Westray, of his suppression of all opposition to him, of the spies at Paul's Thing, of Sweyn's junction of forces with Ragnvald, of Sweyn's visit to Margret at Athole, and his dramatic kidnapping of Jarl Paul while hunting otters near Westness[13] in the Isle of Rousay, in Orkney,

and of the jarl's deportation by Sweyn first to Dufeyra and thence via Ekkjals-bakki[14] to Athole to his sister Margret, who receives him with the utmost show of cordiality, and finally of Paul's abdication in favour of Margret's second son, Harold Maddadson, then a boy of five years of age, with the instructions to Sweyn to tell the Orkneymen that Paul himself was blinded, or, worse still, maimed, so that his friends should not seek him out, and restore him to his jarldom.[15] Such is one version of the story; the other is a more sinister tale, that his half-sister Margret cast Jarl Paul into a dungeon and had him murdered, and, so far as the Saga relates, he left no issue.

Sweyn then returns to Orkney and tells his version of the affair to the bishop, the bishop to Ragnvald, and Ragnvald to the "good men" or *lendirmen* of Orkney, who express themselves satisfied, and Ragnvald builds the Cathedral he had vowed to St. Magnus in Kirkwall—a strange medley of craftiness, murder, and piety.

Next we have the vivid scene[16] of the arrival from Athole at Knarstead near Scapa, in his blue cope and quaintly cut beard, on a fine winter's day, of John, Bishop, probably of Glasgow, and formerly tutor to King David of Scotland, on whom Jarl Ragnvald waits like a page, and who passes on to Egilsay to Bishop William the Old; and the two clerics propose to Jarl Ragnvald that Harald Maddadson, who had already been created sole Earl of Caithness, shall have Paul Thorfinnson's half of the Orkney jarldom, an arrangement which Ragnvald accepts, and which is ratified by the people of Orkney and of Caithness. In due course the boy arrives in 1139, and the tutor selected for him is, of all others, Frakark's grandson, Thorbiorn Klerk, who had married Sweyn Asleifarson's sister, Ingirid, and who was "one of the boldest of men, and the most unfair, overbearing man in most

things,"[17] differing indeed but little in character from Sweyn himself "who was a wise man and foresighted about many things; and an unfair overbearing man and reckless towards others," while they were both said to be men "of power and weight," and at this time they were fast friends.

Then follows the story of Frakark's Burning, one of the most purely Sutherland tales in the whole Saga.[18]

Sweyn, to avenge on that lady and her grandson, Olvir Rosta, the burning of his own father Olaf and of his house in Duncansby, openly asked Jarl Ragnvald for "two ships well fitted and manned," sailed to the Moray Firth, the Breithifiorthr or Broadfirth, as it was then called, "and took the north-west wind to Dufeyra, a market town in Scotland. Thence he sailed into the land along the shore of Moray and to Ekkjals-bakki. Thence he fared next of all to Athole to Earl Maddad, and lay at the place called Elgin and obtained guides, who knew the paths over fells and wastes whither he wished to go.[19] Thence he fared the upper way over fells and woods, above all places where men dwelt, and came out in Strath Helmsdale near the middle of Sutherland. But Olvir and his men had scouts out everywhere where they thought that strife was to be looked for from the Orkneys; but in this way they did not look for warriors. So they were not ware of the host, before Sweyn and his men had come to the slope at the back of Frakark's homestead. There came against them Olvir the Unruly with sixty men; then they fell to battle at once, and there was a short struggle. Olvir and his men gave way towards the homestead; for they could not get to the wood. Then there was a great slaughter of men, but Olvir fled away up to Helmsdale Water and swam across the river and so up on to the fell: and thence he fared to Skotland's Firth,[20] and so out to the Southern Isles. And he is out of the story. But when Olvir drew off, Sweyn and his

men fared straight up to the house, and plundered it of everything; but, after that, they burnt the homestead and all those men and women who were inside it. And there Frakark lost her life. Sweyn and his men did there the greatest harm in Sutherland, ere they fared to their ships."

Such is this Sutherland tale of Sweyn. According to the current notions of blood feud, he merely discharged the solemn duty of avenging his father's burning and death by a like burning and slaying of the household of his father's murderers. But his acts were wholly unjustifiable by the law of the time, as he had already accepted an atonement by were-geld from Earl Ottar.

After a round of harrying and piracy, especially in Sutherland, no doubt among the Moddan clan, Sweyn was heartily welcomed home by Jarl Ragnvald, from whom he immediately obtained another fleet for another set of raids on Wales, the coasts of the Bristol Channel and the Scilly Isles. His murder of Sweyn Breast-rope was committed just after an adjournment of the feast at Orphir for Nones in the Templar Church there, and Jarl Ragnvald's gift of the ships for Frakark's punishment was made while the jarl was piously engaged in completing and adorning St. Magnus' Cathedral at Kirkwall.

The strategy leading up to the Burning is characteristic of Sweyn and his stratagems. He *openly* asks for ships and sails in them, and thus is expected to land on the coast. But after a purposely devious course, which has puzzled inquirers into the locality of Ekkjalsbakki, he came overland by Oykel and Lairg and Strathnaver or Strathskinsdale, whence he was not looked for.

Thorbiorn Klerk next has his burnings. First he burnt Earl Waltheof (who had slain his father) in Moray, and next he burnt two of Sweyn's men who

had assisted in the burning of Thorbiorn's relative, Frakok, or Frakark, in Kildonan. Jarl Ragnvald with difficulty reconciles Thorbiorn and Sweyn, and they start for a joint raid. Soon, however, they squabble over the spoils, and Thorbiorn puts his wife Ingirid, Sweyn's sister, away, a deed that reopened their feud.[21]

For a series of robberies in Caithness, Sweyn is besieged by Jarl Ragnvald in Lambaborg, now known as Freswick Castle, but escapes by swimming in his armour under the cliffs and landing in Caithness, whence he passed southwards through Sutherland to Scotland and Edinburgh, where King David I received him with honour, and reconciled him with Jarl Ragnvald.[22]

In 1148, Ragnvald decided to visit King Ingi in Norway, taking Harold Maddadson, then a boy of fifteen, with him.[23] There he meets Eindridi, who had been long in Micklegarth, as Constantinople was then called by the Norse, probably in the Emperor's service as one of the Varangian Guard; and ships are built for a voyage to the East. But both he and Harold are wrecked in "The Help" and "The Arrow," at Gulberwick, south of Lerwick, on the Shetland coast, all on board, however, being saved, and Ragnvald, as usual, making verses and fun of it all, and of many other things.

At last in 1150 Ragnvald's and Eindridi's ships are "boun"[24] for their eastern cruise, Eindridi, however, being wrecked off Shetland. But he gets another ship, and, in 1151, they set sail for the East, William, the bishop of Orkney, commanding one vessel. Passing down the east coast of England and through the Channel to France, they reach Bilbao[25] in Spain, where Ragnvald lands, and refuses to marry Queen Ermengarde. Afterwards he rounds Galicia, where Eindridi's treachery robs them of spoil in taking Godfrey's castle, beats through Niorfa Sound (the Straits of Gibraltar);

is deserted by Eindridi, sails along Sarkland (Barbary), captures the Saracen ship Dromund, and burns her, sells the prisoners in Barbary, but releases their prince, coasts along Crete, lands at Acre, and bathes in Jordan on St. Lawrence's Day, the 10th of August 1152. After a visit to Jerusalem they come at last to Constantinople, where the Varangian Guard heartily welcome them, although Eindridi, who has arrived there before him, tries to set everyone against them; and Ragnvald finally returns to Bulgaria and Apulia and Rome, and thence overland to Denmark and Norway.[26]

When Ragnvald reached Norway in 1153, he heard what had been going on at home during his absence in the east. King Eystein of Norway, King Harald Gilli's son, had seized Jarl Harold Maddadson, then a young man of twenty, at Thurso, and made him swear allegiance to himself, letting him go on his paying three marks of gold as his ransom. Then Maddad, his father, Earl of Athole, died; and the widowed Margret, Harold's mother, came north to Orkney, still dangerous, still beautiful and attractive, especially to Gunni, Sweyn's brother, by whom she had a child, for which Gunni was outlawed, a punishment which alienated his brother Sweyn from Harold Maddadson.[27]

Erlend, only son of Harald Slettmali, and really entitled to the whole earldom, obtained from his relative[28] King Malcolm, then a boy of under twelve, through his powerful kin, a grant of half of the earldom of Caithness jointly with Harold Maddadson, who objected to give him half the Orkney jarldom unless King Eystein confirmed the grant. Erlend then went to Norway to get it confirmed. Meantime Sweyn seized a ship of Harold's; but, to help Erlend, tried to reconcile Harold to him, as King Eystein (said Erlend) had given him half of Orkney. And the half given to him was, he added, Harold's half.[29]

Sweyn and Erlend then force Harold, who had then just come of age, to agree to give up this half, under duress, in order to secure his own liberty, and the Orkney folk agree that Erlend shall have this half, Ragnvald having the other. This, Sweyn knew, Harold would not stand, and, as he drank at a feast with his house-carles in his castle in Gairsay,[30] the wily Viking said, slily rubbing his nose, "I think Harold is now on his voyage to the isles," a shrewd surmise which proved correct in spite of the midwinter storm then prevailing. Harold's expedition, however, failed, and he went back to Caithness to raise a force to kill a man called Erlend the Young who had seized his mother Margret and taken her by force to Shetland, where he fortified Mousa Broch[31] and held her prisoner there. After a siege, Harold, who had followed them, at last allowed their marriage, Erlend the Young becoming his ally, and going that summer with his wife and Harold to Norway. When that was heard in the Orkneys, Sweyn and Earl Erlend went raiding off the east coast of Scotland and afterwards a-viking to North Berwick, and got much plunder, and Harold returned in the autumn to Orkney. In the winter Jarl Ragnvald came back from the east to Turfness (Burghead), whence he went about Yule 1153 to Orkney, to find that the Orkney-men want himself and Erlend, not himself and Harold, as joint jarls over them.

Harold had then to fight for his own hand; and, finding that Earl Erlend and Sweyn were in Shetland, he sought them out but missed them, and afterwards, though he hated Jarl Ragnvald, tried to get him on his side.

We come to another Sutherland event, historically of the first importance to us, in 1154.[32] "Jarl Ragnvald was then up the country in Sutherland, and sat there at a wedding at which he gave his only daughter and child Ingirid or Ingigerd, to Eric Stagbrellir," who,

as we have seen, as Audhild's son, had been brought up in Kildonan. "News came to him at once that Earl Harold was come into Thurso. Jarl Ragnvald, rode down with a great company to Thurso from the bridal.[33] Eric was Harold's kinsman and tried to reconcile the earls."

There was a fight in Thurso between their followers, Thorbiorn Klerk instigating it, no doubt because after Eric's marriage with Ingigerd, Ragnvald's daughter, he knew he could not hope to force Eric to give up the Moddan lands in Strathnavern and in the upper valleys and hills of Sudrland and Caithness, to which he had a claim. Thirteen of Ragnvald's men fell in the fray, and he himself was wounded in the face. Ultimately, the earls were reconciled on the 25th of September 1154, and about 1156 joined forces and went to Orkney against Sweyn and Erlend, who pretended they were sailing for the Hebrides, but put their ships about at Store[34] Point in Assynt, and after all but seizing Jarl Ragnvald at Orphir in Orkney, captured his ships, though he and Harold escaped, each in a small boat, across the Pentland Firth to Caithness.[35] Returning thence, in Sweyn's absence for the night they attacked Erlend, who had disregarded all Sweyn's warnings and advice to keep a good look-out, off Damsey, near Finstown. In this fight Jarl Erlend, the last descendant in the male line of Thorfinn then alive, was slain, while drunk, his body being found next day transfixed by a spear, and he left no issue to inherit his title of earl or the other Moddan lands, left to him by Earl Ottar, which probably devolved on Eric Stagbrellir in 1156, as he could hold them against Thorbiorn Klerk.

All Erlend's success, if we are to believe the Saga, this portion of which is written largely to glorify Sweyn, probably by his relative Bishop Bjarni, had been arranged by Sweyn's really marvellous cunning;

and Ragnvald, no doubt feeling how dangerous an enemy Sweyn was, and that he was backed by the Scottish king, immediately sent for him in order to reconcile him to Harold. But Harold, soon afterwards, robbed Sweyn's house in Gairsay; and Sweyn, in his turn, attacked the house where Harold was, and nearly succeeded in burning him alive. Later on Harold all but caught Sweyn off Kirkwall, but Sweyn gave him the slip, by running his ship into a tidal cave in Ellarholm, off Elwick in Shapinsay, in 1155, and disappearing till the coast was clear, when he got away in a small boat.

Afterwards Sweyn and Earl Harold were reconciled, and Sweyn and Thorbiorn Klerk and Eric Stagbrellir went on a viking cruise to the Hebrides, and, after a great victory at the Scilly Isles, returned with much booty to Orkney.[36]

In the year 1157 or 1158, Sweyn defeated Gilli Odran, steward of Earl Ragnvald's lands in Caithness, who had fled to the west and was caught in Murkfjord (possibly Loch Glendhu at Kylestrome in Eddrachilles) and was slain there with fifty of his men by Sweyn.[37]

In 1158, Ragnvald and Harold went, as they did every year, to hunt red deer and reindeer[38] in Caithness, their hunting ground being probably near the Ben-y-griams, which lay on the way to Kildonan, or Strathnaver, where Eric probably lived; and some think there are still remains of walls used as a pen for driven deer on Ben-y-griam Beg, though these are more probably the ancient ramparts of a hill-fort.[39] When they landed at Thurso, they heard that Thorbiorn Klerk was hiding and lying in wait in Thorsdale[40] in order to make an onslaught on Ragnvald, if he got a chance. After riding with a band of a hundred men, twenty of them mounted, they spent the night at a place where there was what the Celts call an "erg" *(airigh)* but the Norse call "setr," the modern

sheiling. Next day, as they rode up along Calfdale, Ragnvald was in advance of the party, and, at a homestead called Force,[41] Halvard hailed him loudly by name. Thorbiorn was inside the house, and burst out through an old doorway, and dealt Ragnvald a great wound, and the jarl fell, his foot sticking in his stirrup, when Stephen, an accomplice, gave him a spear thrust; whereupon Thorbiorn, after dealing him another wound, and receiving a spear thrust in the thigh himself, fled to the moor. Earl Harold at first would not interfere; and though Magnus son of Havard Gunni's son insisted, Earl Harold again declined to pursue Thorbiorn to the death, but left Magnus to besiege him at Asgrim's Ergin or Shielings,[42] now Assary, near Loch Calder, where, by setting fire to the hut in which he was, his pursuers succeeded in smoking him out and killing him. They then brought the jarl's body from Force to Thurso, and thence took it over to Orkney, to be buried in the choir of St. Magnus' Cathedral, which he had founded and built in his uncle's honour.

"Jarl Ragnvald's death was a very great grief, for he was very much beloved there in the Isles, and far and wide elsewhere." It took place on the 20th August 1158.

"He had been a very great helper," the Saga adds, "to many men, bountiful of money, gentle, and a steadfast friend; a great man for feats of strength, and a good skald" or poet. In 1192 he was canonised as St. Ragnvald[43] with, it is said, full Papal sanction. Save during Harold Maddadson's minority he was never Earl of Caithness, and then had the title only as guardian of his ward Harold.

Ragnvald left a daughter, his only surviving child, Ingirid or Ingigerd, whom as we have seen, Audhild's son, Eric Stagbrellir had married four years before her father's death; and their children, who come into

the story afterwards, were three sons, Harald Ungi or Harald the Young, Magnus nick-named Mangi, and Ragnvald, and three daughters, Ingibiorg, Elin[44] and Ragnhild, all of whom, so far as the Saga relates, died childless save Ragnhild, whose son by her second husband Gunni, was Snaekoll Gunni's son, who about 1230 claimed the Ragnvald lands in Orkney from Earl John, son of Earl Harold Maddadson,[45] and complained that Earl John was keeping him out of his rights in Caithness to Ragnvald's share of the earldom lands there.

After Thorbiorn Klerk's death, Olvir Rosta being "out of the story," Eric's children, who were mainly Norse in blood, were the only heirs left in Caithness not only for Jarl Ragnvald's lands, but also for the upper parts of the river valleys of Strathnavern and Ness, which the Moddan family had held through the whole Norse occupation of Caithness and Sutherland, along with the hill country in Halkirk and Latheron and Strathnavern and probably also in Sutherland, lands on which few Norse place-names are found, and which came to Eric through Audhild his mother on the deaths of Earls Ottar and Erlend Haraldson without issue. These lands would of right descend to Eric's eldest son, Harald Ungi, and on his death without issue, to his brothers if alive, and, failing them, to his sisters and their heirs, as happened in the case of Ragnhild and her son Snaekoll Gunni's son, neither Ingibiorg nor Elin receiving any share of this property, for reasons now undiscoverable, but which we shall endeavour to explain later, by presuming that one of them had died unmarried, or had married abroad, while the other and her descendants were amply provided for otherwise by marriage with Gilchrist, Earl of Angus.

CHAPTER VII.

Harold Maddadson and the Freskyns.

AFTER the death of Jarl Ragnvald in 1158, Harold Maddadson at the age of twenty-five "took all the isles under his rule, and became sole chief over them."[1] Ever since 1139 he had been sole Earl of Cat save for Erlend Haraldson's grant,[2] though Jarl Ragnvald seems to have had a share of its lands and managed the Earldom of Caithness for Harold during his minority, bearing the title of his ward till the latter attained his majority in 1154. Harold had married Afreka, daughter of Duncan, Earl of Fife, one of the most loyal supporters of the Scottish kings, and their children were two sons, Henry, who afterwards claimed Ross, and of whom we hear no more, and Hakon, Sweyn Asleifarson's foster-child, and two daughters, Helena and Margret, of whom we hear nothing save their names. Hakon, from boyhood, went with Sweyn on all his spring and autumn "vikings" or piratical cruises, undertaken every year to the Hebrides, Man, and Ireland, in one of which Sweyn took two English ships near Dublin, and returned to Orkney laden with broadcloth, wine, and English mead.[3] Sweyn's life is thus described in c. 114 of the *Orkneyinga Saga.* "He sat through the winter at home in Gairsay, and there he kept always about him eighty men at his beck. He had so great a drinking-hall that there was not another as great in all the Orkneys. Sweyn had in the spring hard work, and made them lay down very much seed, and looked much after it himself. But when that toil was ended, he fared away every spring on a Viking-voyage, and harried about among the southern isles and Ireland,

and came home after midsummer. That he called spring-viking. Then he was at home until the cornfields were reaped down, and the grain seen to and stored. Then he fared away on a viking-voyage, and then he did not come home till the winter was one month spent, and that he called his autumn-viking." At last, in a cruise to Dublin, which he captured, Sweyn was killed by stratagem on landing to receive payment of its ransom from the town, and the boy Hakon probably fell there with him in 1171. "And," the Saga adds, "it is the common saying of Sweyn that he was the most masterful man in the western lands, both of yore and now-a-days, among those men who had no higher rank than himself." Sweyn was, in fact the greatest man of his time. For he robbed whom he pleased, made and undid jarls and earls as he chose, and was the friend or tool of more than one Scottish king.

Earl Harold had put his wife Afreka away, and probably after Sweyn's death formed a union, at a date which it seems impossible to fix, with Hvarflod or Gormflaith, daughter of Malcolm MacHeth of Moray, who was in rebellion in 1134, and was imprisoned in Roxburgh Castle until 1157, when he was released and created Earl of Ross, so that Gormflaith, who could hardly have been born during her father's imprisonment, must have been born either before 1135 or after 1157. Harold and Gormflaith's children were Thorfinn, who predeceased him, and also David and John, both afterwards in succession earls of Caithness and jarls of Orkney, and three daughters, Gunnhilda, Herborga, and Langlif; and of the daughters the Saga-writers tell us nothing, except that the Icelander Sæmund, Magnus Barelegs' grandson, wished to marry Langlif but did not do so;[4] and her son Jon Langlifson, according to the Saga of Hakon was in 1263 a spy on the Norse side.

Here the *Orkneyinga Saga* ends. But additions to its generally received text are found in the *Flatey Book*,[5] and the additions are by no means so trustworthy as the Saga proper. From these we learn that of Eric Stagbrellir and Ingigerd's children, who were settled in Sutherland, the sons, Harald Ungi, Magnus, and Ragnvald Eric's son, fared east to Norway to King Magnus Erling's son, where young Magnus Eric's son fell with that king in the battle of Norafjord in Sogn in 1184.[6] Probably some of them were, on Eric Stagbrellir's death, subjected to exactions in respect of their lands by Harold Maddadson.

Having arrived, under the guidance of the *Orkneyinga*, at the closing years of the 12th century, so far as the affairs of Orkney and Shetland and Sutherland and Caithness are concerned, it remains for us to turn and observe the tide of civilisation and order which under our Scottish kings was now setting strongly northwards and ever further north in each successive reign, the Catholic Church and the feudal baron being the chosen instruments of national organisation and discipline, and the charter being the method of establishing them in the land.

To this tide the Pictish and Columban Churches, and the Province of Moray and its Maormors had formed the main barriers and obstacles; and the Saxon nobility, introduced by the elder sons of Malcolm Canmore's second queen, St. Margaret, had proved quite unable to break them down. The Pict of Moray was obstinately hostile to the Scots, and his leaders and rulers aspired to, and claimed the crown of Scotland itself. Rebellion after rebellion took place, and it was not until King David I had introduced the feudal baron with his mail-clad tenants, and settled them on the land by charter, that any success in establishing peace and civil order was achieved in the vast Pictish province of Ross and Moray, which stretched across

Scotland from the North Sea to the Minch, and whose people resisted to the utmost.

It is not part of our purpose to treat generally of the feudal and largely Norman families, which gradually asserted their power over the Picts in the north, and were accepted as Chiefs, such as were the Umphraville Earls of Angus, the Roses of Kilravock, the Chisholms of Strath Farrer, the Bissets and Fresels or Frasers of Beauly, the Grants of Moray and Inverness, and the Comyns of Badenoch; for none of these held land north of the Oykel. But later on in the thirteenth century we shall have more particularly to note the Chens or Cheynes in Caithness, and the Scottish or Pictish family of Freskyn of Strabrock and Moray, in its two branches, that of Hugo of Sutherland and that of his grandson Freskin the younger in Sutherland and Caithness.

Of Freskyn or Fretheskin I, the founder of the line, we have no mention in any charter direct to him,[7] either of his Linlithgowshire lands at Strabrock, or of his estate near Spynie in Moray with its Castle at Duffus.

To us he is as Melchizedek; for neither his father nor his mother is known. We believe him to have been born before 1100, and so to have been a contemporary of Frakark, Thorbiorn Klerk, and Olvir Rosta, of Jarl Ragnvald, of Margret of Athole, Erlend Haraldson and Sweyn, and also of Harold Maddadson; and to have won his Duffus estate, as an addition to his lands at Strabrock, about 1120 or at latest 1130, before or after the crushing defeat, at Stracathro, of the Picts of Angus and Moray; and between these dates to have built the Castle of Duffus on the bank of Loch Spynie, in order to check Norse raids on the Moray coast while the Norse held Turfness or Burghead; and we know that he entertained King David I there during the whole summer of 1150, while that king was super-

intending the building of the Abbey of Kinloss. From notices in a charter of King William the Lion granting and confirming to Freskyn's son, William, his father's lands of Strabrock in West Lothian and of Duffus, Roseisle, Inchkeile, Macher and Kintrai,[8] forming almost the whole parish of Spynie, we believe him to have been dead by 1166, or, at the latest, 1171, the year of Sweyn Asleifarson's death, and we know that he held all these lands from David I, with probably many more in Moray. Contrary to the general impression, it seems probable that Freskyn had not one son, but two sons, William above mentioned and also Hugo, who witnessed a charter, not necessarily spurious, granting Lohworuora, now Borthwick, Church to Herbert, bishop of Glasgow, about 1150. But of this Hugo's existence we have no definite record, and of him we know nothing more than that he witnessed the document above referred to, and one other about 1195, namely, a Charter of Strathyla, in which the words occur "Willelmo filio Freskyn, Hugone filio Freskyn" quoted by Shaw, page 406, App. No. xxvii, in the edition of 1775. This Hugo thus seems to have been uncle of, and not identical with Hugo de Moravia, grantee of Sutherland, known as Hugo Freskyn.

William, son of Freskyn, held those lands in West Lothian and Moray probably until near the end of the twelfth century; and this William, son of Freskyn, had at least three sons,[9] (1) Hugo Freskyn, the ancestor of the de Moravias, or Murrays, of Sutherland, (2) William of Petty, and (3) Andrew, parson[10] of Duffus, who appears in a writ as a son of Freskyn, and as a brother of Hugo Freskyn of Sutherland.[11] Andrew was alive in 1190, and lived probably till 1221, and has been taken to have been the same person as Andrew Bishop of Moray who built Elgin Cathedral. More probably he was that Bishop's uncle, and refused the bishopric of Ross. He witnessed the great Charter

of Bishop Bricius founding the Cathedral at Spynie between 1208 and 1215. (Reg. Morav. c. 39).

William, son of Freskyn, probably had several other sons from one of whom were descended the Earls of Atholl.[12]

William, son of William, and so grandson of Freskyn, with whom, as he was not interested in Caithness or Sutherland, we have nothing to do, frequently appears as witness to charters in and after 1195 along with his elder brother Hugo, whom in one charter, William being the younger, is reported to call "his lord and brother."[13] This William, son of William son of Freskyn, was lord of Petty, near Fort George, and of Bracholy, Boharm, and Artildol, and died before 1226, leaving an eldest son Walter of Petty, a cousin of Sir Walter of Duffus, and from Walter of Petty are descended the great family, notorious in Orkney, of Bothwell, his great-great-grandson having been Sir Andrew of Bothwell, Wardane of Scotland, who died in 1338. William of Petty, to whom and whose descendants we now bid adieu, was probably sheriff of Invernarrin or Invernairn in 1204,[14] and uncle of another William who became first earl of Sutherland.

In Hugo, the elder son of William son of Freskyn, we are deeply interested. For, if his father "William son of Freskyn" had no grant of Sutherland, Hugo Freskyn certainly had not only such a grant but possession as well. Two Charters, the *Carta de Suthirland* and *Alia Carta Suthirlandiae* appear in the list of documents in the Treasury of Edinburgh in 1282, and one or both of these may have been the original grant or grants of his Sutherland estate.[15] They may, on the other hand, have been the later grants of the earldom, or still later charters relating to it. They have, however, disappeared.

Notwithstanding their disappearance, ample evidence of the tenure of the estate of Sutherland by Hugo

Freskyn has been preserved until the present day in the Charter-room at Dunrobin; and the documents are happily as legible as they were over 700 years ago.

By a charter,[16] dated about 1211, Hugo granted to Master Gilbert, Archdeacon of Moray and to those heirs of his family whom he should choose and their heirs, all his land of Skelbo in Sutherland and of Fernebuchlyn and Inner-Schyn, and also his whole land of Sutherland towards the west which lay between the aforenamed land and the marches of Ross, to be held to himself and to his own heirs for ever from the granter and his heirs, performing for such lands the service of one bowman and the forinsec service due to the king in respect of such lands; and this grant was confirmed by King William the Lion (who died in December 1214) on the 29th of April, probably in 1212, at Seleschirche, now Selkirk, and was also confirmed by Hugo's son William, Lord of Sutherland, about 1214.[17] This renders it certain that Hugo himself had died before December 1214, the latest possible limit of the date of this charter. He was buried in the Church of Duffus, as the Register of Moray states,[18] and he can hardly have been the Hugo who witnessed the Charter of the Church of Lohworuora sixty-two years at least before, to which Prince Henry, who died in 1152, was a witness.[19] For Hugo of Sutherland would then have been too young to have been selected as a witness, and he was not Hugo, son of Freskyn (Hug. filio Fresechin), but Freskyn's grandson.

Hugo Freskyn of Sutherland had three sons, (1) William, great-grandson of the original Freskyn, *dominus* or Lord of Sutherland, and afterwards first earl, (2) Walter, who succeeded to Strabrock in Linlithgowshire and to Duffus and the family estates in Moray, which were thus severed in ownership from Sutherland, and (3) Andrew. Walter of Duffus

married Euphamia, daughter of the most able and renowned general of his time, Ferchar Mac-in-Tagart, Earl of Ross;[20] and Walter was known as Sir Walter de Moravia, and lived till 1243, but was dead by 1248, his widow surviving him, and later on we shall come to another Freskin, their eldest son, (who was *dominus de Duffus* on 20th March 1248), in Strathnaver and Caithness. Hugo's third son, Andrew, was the parson of Duffus[21] who became Bishop of Moray, and moved the see from Spynie to Elgin, where he erected a specially beautiful Cathedral, the predecessor of that whose splendid ruins still stand. According to the Chronicle of Melrose he died in 1242.

Hugo Freskyn's eldest son, William, Lord of Sutherland, was simply "William de Sutherlandia" on the 31st August 1232, and "W. de Suthyrland" appears as a witness to a grant of a mill on 10th October 1237. But William, Hugo's son, was by Alexander II created Earl of Sutherland, as we hope to show, soon after 1237, probably as a reward for long and loyal service to William the Lion and to Alexander II, between the year 1200 and the date of his creation, in the various difficulties and rebellions in Moray and Caithness, between which two centres of disaffection his territory of Sutherland lay.[22] For William's family had then its "three descents" and more, and its chief had a sufficient body of retainers settled on the land to entitle him to the dignity of an earldom. That he was earl there is no doubt, because a deed of 1275 settling litigation between the Earl William of that date and the Bishop of Caithness refers to William of glorious memory and William his son, *earls of Sutherland, nobiles viros, Willelmum clare memorie et Willelmum ejus filium, comites Sutthirlandie*, (c.f. The Sutherland Book, p. 7).

The first four generations of the Freskyn family seem to be also clearly proved in one line of a grant by William the Lion to Gaufrid Blundus, burgess of

Inverness, of 2nd May (year omitted) which is attested "Willelmo filio Freskin Hugone filio suo et Willelmo filio ejus," which is strange Latin, but embraces all four generations. It is quoted in the New Spalding Club's Records of Elgin, p. 4, as from Act Parl. Scot. vol. 1, p. 79. The Charter is dated at Elgin probably near the end of the twelfth century, when William Mac-Frisgyn, Hugo, and William of Sutherland were all alive. Not a single member of the family was, as every Fleming was, styled "Flandrensis" in any charter or writ, and Fretheskin is probably a Gaelic name, of which the latter part may mean "knife" or "dagger." The name does not mean Flemish or Frisian.

Having now introduced the various prominent persons in the north of Scotland over seven hundred years ago, both on the Norse and on the Scottish sides, let us now look more closely and in detail at the main events which had been taking place there and elsewhere since the end of the reign of David I, when his grandson Malcolm IV, known as The Maiden, succeeded in 1153.

The first event in the brilliant reign of this boy king was the invasion and plundering of Aberdeen by Eystein king of Norway about 1153,[23] in repelling which the feudal Barons of Moray and Angus, including the first Freskyn of Duffus and his son William MacFrisgyn, must have been of service. In the same year Somarled of Argyll and the sons of MacHeth engaged in a joint rebellion, which lasted three years until the eldest of them, Donald, was taken and placed as a prisoner with his father in Roxburgh Castle, leaving Somarled to continue the war alone. This war was put an end to by the release of Malcolm MacHeth, who was created Earl, probably of Ross,[24] after another civil war in Somarled's own country had called Somarled back to the Isles; and the young king Malcolm joined Henry II of England in his wars in

France. During King Malcolm's absence abroad Fereteth, Earl of Stratherne, and five other earls, of whom Harold Maddadson was probably one, rebelled in 1160; and, on failing in an attempt to kidnap the young king, who had returned to quell the disturbance, the six earls were reconciled to him; and in the same year he subdued another rising in Galloway, and yet another in Moray. The subjugation of Moray is said to have been carried out with the greatest severity. According to Fordun[25] the king "removed the rebel nation of Moray men and scattered them throughout the other districts of Scotland, both beyond the hills and this side thereof," though Robertson in his *Early Kings* expresses the opinion that this clearance took place in the reign of David his predecessor.[26] He is probably right, but whenever it took place, it doubtless gave Sutherland the first of its Mackays, originally MacHeths, who were at first refugees from Moray, and ultimately in the thirteenth century are found settled in Durness in the north-western parts of the modern county of Sutherland. It was at this time, too, that the Innes family, afterwards so well known in Caithness and Sutherland, were, in the person of Berowald the Fleming, given their lands in Moray,[27] William MacFrisgyn, Freskyn's eldest son, and father of Hugo Freskyn of Sutherland, witnessing the charter, a neighbourly turn which has ever since caused some to believe wrongly that the Freskyns were Flemings.

Malcolm next defeated another rising by Somarled, who was killed in 1164, by treachery or surprise, in a skirmish at Renfrew,[28] and was not Somarled the freeman, who is said in the *Orkneyinga Saga* to have been slain by Sweyn in the Isles, in his pursuit and defeat of Gilli Odran in the Myrkfjord about seven years earlier.[29]

Then King Malcolm, after a short but brilliant reign, died in his 24th year. He was succeeded by his

brother William the Lion, who was forthwith crowned at Scone on Christmas Eve 1165 in his twenty-second year.

We may now try to state how things stood in the north at the date of his accession. Soon after this time his grandfather's friend, the first Freskyn, died between 1166 and 1171, and was succeeded by his son William MacFrisgyn, whose son Hugo would then be quite young. Harold Maddadson had in 1165 been for twenty-six years Earl of Caithness, and Jarl of Orkney and Shetland for nineteen years jointly with Ragnvald, and for seven years sole jarl of those islands.[30] He had probably put away his first wife Afreka of Fife about 1165, but he afterwards lived with Gormflaith, the daughter of Malcolm MacHeth from a date which cannot be fixed with certainty. Led by her, it is said, Harold was openly hostile to the Scottish king, of whom, however, he held the earldom of Caithness, which at that time included not only the parishes of Creich, Dornoch, Rogart, Kilmalie or Golspie, Clyne, Loth, and most of Kildonan and of Lairg, then called by the Norse Sudrland, but also the districts of Strathnavern, Eddrachilles, and Durness (where Mackay refugees had not yet permanently settled) as well as Ness, which is now known as the County of Caithness.

The diocese of Caithness, which then was coterminous with the earldom and comprised all the above districts which now form the modern counties of Caithness and Sutherland, had in 1165 been in existence for about thirty-five years; its chief church being at first at Halkirk in Caithness and thereafter being the old Church of St. Bar at Dornoch, but it was scantily endowed, and therefore its clergy were but few.[31] Its Bishop was Andrew, a Culdean monk of Dunfermline, and probably Abbot of Dunkeld, who had been promoted to the see of Caithness before 1146, and died at Dunfermline on the 30th December 1184.

Ingigerd, Earl Ragnvald's daughter, would at this time be a young wife and mother living with some of the elder of her six children, probably near Loch Naver, on part of the Moddan family lands there with her husband, Audhild's son Eric Stagbrellir, until their sons, Harald Ungi, Magnus, and Ragnvald, should grow up. But these sons, possibly on their father's death, and certainly before 1184, when young Magnus Mangi was killed[32] at the battle of Norafjord, emigrated to Norway to obtain the Orkney jarldom about ten or fifteen years after King William's accession; while of Ingigerd's daughters, Ingibiorg, Elin, and Ragnhild, nothing is recorded at this time, though Ragnhild appears later on, and one of her sisters is believed to have married Gilchrist, Earl of Angus during the last twenty years of the twelfth century. The other may have married in Norway, or died young and unmarried.

All these children and their descendants successively according to sex and seniority would have claims as being of the line of Erlend Thorfinnson, to half the Caithness earldom and Jarl Ragnvald's lands there, claims which, however, it would be impracticable, while Harold Maddadson lived, to enforce.

Harold Maddadson's children by his first wife, namely Henry of Ross, Hakon, Helena and Margaret would, in 1165, all be born, but would be well under twenty-one, while of his second family, if Gormflaith was born by 1135, which is unlikely, his eldest son, Thorfinn could have been born, and some of the others. Thorfinn is mentioned by name in a grant[33] of a silver mark per annum to the Church of Scone issuing out of Harold's lands, of which the date is after 1166, but no one can say how much before the 30th December 1184, the date of the death of one of its witnesses, Andrew, Bishop of Caithness.

If the union with Gormflaith took place after 1174, no child of that union would exist until 1175. That

this is in fact true is rendered more probable because their union is not mentioned in the *Flatey Book* until after the death of Sweyn in 1171. But the passage is of doubtful authenticity, (see Rolls Edition p. 224), and inconclusive even if genuine. From the various allusions to Harold's union with Gormflaith, it would seem that Harold lived with her before he married her for many years, but married her legally after his first wife Afreka's death after 1198 when William the Lion stipulated that he should take Afreka back, and the subsequent legal marriage might in those days, under the Canon and Roman law, suffice to make Gormflaith's children, though born in adultery, legitimate and capable of succeeding to the earldom (see Dalrymple's Collections, p. 221).

In 1165 Sweyn Asleifarson, the great Viking, would be cruising on the northern and western coasts with Harold's son, Hakon, on board, until their deaths in Dublin in 1171.

As for those in authority, Harold Maddadson would have as contemporaries, Freskyn of Duffus till his death between 1166 and 1171, and his son William till his death near the end of the 12th century, when Hugo, son of William, would succeed to the Morayshire estates, though probably he had previously obtained a grant of the land then known as Sudrland or Sutherland, which is defined above. Hugo probably received this grant after William the Lion's first conquest of Sutherland and Caithness in 1196, shortly before the time when, as we shall see, Harald Ungi obtained in right of his mother a grant of half Orkney from the Norse king, and another from the king of Scotland of half Caithness, and probably a confirmation of his title to the Moddan lands in Strathnaver and in Halkirk and Latheron, to which he was heir in right of his father and grandmother Audhild of the Moddan line. But this half of Caithness would be conferred

on Harald Ungi subject to the prior grant of Sudrland to Hugo Freskyn. For Harold Maddadson must, in the opinion of so eminent an authority as Lord Hailes, have been forfeited in 1196, if not earlier, for both he and his son Thorfinn were then in open rebellion against the Scottish Crown.[34]

Further deprivations of lands, it is conjectured, must have attended Harold Maddadson's later rebellions, and the events which must have led to those deprivations may now be recounted, though it is very difficult to reconcile Scottish and Norse records during the period.

In 1179 King William the Lion had marched an army into Ross, and subdued it to his sway; and, ere he left it, caused two castles of Eddirdovir on the site of Redcastle in the Black Isle on the Beauly Firth, and of Dunskaith[35] on the northern Suter of Cromarty, which is full of Norse remains, to be built, to enable him to hold his conquests.

Two years later he made war on Donald Ban MacWilliam, who claimed the Scottish Crown itself, as the third son of William FitzDuncan only son of Duncan II, who was himself the eldest son of Malcolm Canmore by Malcolm's first marriage, so productive of civil war in Scotland, with Ingibjorg, widow of Earl Thorfinn. Civil war ensued, and lasted for six or seven years, when, by good luck, Roland of Galloway fell in with a force of the rebels at an unknown spot called Mamgarvie near Inverness, and routed them, killing Donald Ban MacWilliam there on the 31st July 1187.[36]

In 1196, Harold Maddadson, who through the ambition of Gormflaith had, as we have seen, designs on Ross and Moray, sent an expedition southwards to occupy those districts, of which probably Gormflaith's father, Malcolm MacHeth, had been Earl at his death after 1160. But William collected an army,[37] and,

after defeating Harold's son Thorfinn near Inverness, crossed the Oykel, entered Sutherland, subdued it and Caithness, and pursued Harold up to his castle at Thurso, and destroyed it in his sight. Harold then submitted, and promised to surrender his son and heir, Thorfinn, as a hostage, with others of his friends to be delivered to the king at Nairn. Harold left all his hostages close by at Lochloy, and went alone to the king at Nairn, and endeavoured to excuse himself by offering two grandsons to the king and stating that Thorfinn was his heir[38] and could not therefore be given up; but was taken prisoner himself and lodged in Edinburgh Castle, till his son Thorfinn came to take his place. On this occasion Harold Maddadson was deprived of Sudrland or Sutherland, which had been given to Hugo Freskyn; and in the next year, or soon after, half of the earldom of Caithness, which the *Flatey Book* states Earl Ragnvald had held,[39] was conferred by King William the Lion on Harald Ungi or The Young, as grandson of Jarl Ragnvald, and son of Eric, who, however, had to make good the grant by conquest. Harald Ungi had, as stated above, already obtained a grant from King Sverri of half Orkney by a visit to the Norwegian Court.

In order to enforce his rights under both these grants, Harald Ungi collected a force, and, together with Sigurd Murt, and Lifolf Baldpate, the first husband of his youngest sister Ragnhild, invaded Orkney, while Harold the Old fled to the Isle of Man; but, on his namesake following him thither, he doubled back to Orkney, and, after killing all the adherents of his enemies there, crossed over to Caithness with a strong force. In a pitched battle "near Wick," said to have been fought at Clairdon near Thurso, he slew Harald Ungi, and utterly defeated his army, in 1198.[40] Harold the Old then endeavoured to make terms with the king, and offered him a large sum for the redemption of

Caithness. The king, however, attached as conditions to any regrant, that the earl should put away Gormflaith, the daughter of MacHeth, and take back his wife, Afreka of Fife, and deliver up Laurentius, his priest, and Honaver, son of Ingemund, as hostages.[41] The earl, on his part, refused the terms; and, the earldom thus remaining forfeited, King William at once invited Ragnvald Gudrodson, the great Viking king of the Sudreys and Man, and then his friend and ally, to assemble a force and drive Harold out of Caithness, promising to confer that earldom upon his general, if successful in the campaign.

Ragnvald Gudrodson, it may here be noted, had, if we pass over his own illegitimacy, in the absence of direct male heirs of Earl Hakon since Erlend Haraldson's death in 1156, probably the best title to receive a grant of the jarldom of Orkney and Shetland and the earldom of Caithness of all the surviving descendants of Earl Thorfinn Sigurd's son. For Ragnvald Gudrodson was the grandson of Ingibjorg, Earl Hakon's elder daughter, while Harold Maddadson was the son of Ingibjorg's younger sister, Margret of Athole. Ragnvald Gudrodson's title was, but for his own illegitimacy (in spite of which he held his own kingdom) equal, if not superior to that of all survivors of the Erlend Thorfinnson line, which was now represented in the male line only by another Ragnvald the son of Eric Stagbrellir, who would claim, in default of male heirs of Jarl St. Magnus, through the female line of Erlend Thorfinnson, as being descended successively from Gunnhild, Erlend's daughter, her son Ragnvald Jarl and Saint, and Ingigerd his only child. And there is no proof that Ragnvald Ericson was alive at this date, or that he ever returned from Norway to prefer his claim.

Ragnvald Gudrodson forthwith collected a great army in Ireland and the Sudreys and invaded

Caithness,[42] and, meeting Harold Maddadson in battle at Dalharrold,[43] where the River Naver issues from the loch, drove him northwards down the strath to the coast, whence he escaped to Orkney. The Saga says simply that Harold stayed in Orkney, and this location of the battle near Achness rests solely on tradition, which, however, in the Highlands, is often a solid enough foundation.

King William next conferred the earldom on Ragnvald Gudrodson, for, it is said, a considerable sum of money, reserving his own annual tribute.

On receiving the earldom, Ragnvald Gudrodson left in charge of Caithness six[44] stewards, of whom Lagmann Rafn was the chief, and went back to the Isle of Man. Harold had one of these stewards murdered by an assassin, and returned with a large force to Thurso to punish the Caithness folk; and, when Bishop John interceded for the people of his diocese, Harold, whom he had irritated by refusing to collect the Peter's Pence which the Earl had given to Rome, would not listen to him, but mutilated him, probably in 1201, nearly blinding him, and all but cutting out his tongue, though afterwards the bishop regained his sight and speech in some measure, and may have lived to administer his diocese till 1213. It is noteworthy that Pope Innocent III, in his letter of 1202, does not directly blame Harold for the illtreatment of the bishop, but Lumberd, a layman, whose penance the letter prescribes.

Harold then drove out the stewards, and they fled to the Scottish king, who made the best amends he could to them,[45] and Rafn, the Lawman, seems to have returned and to have lived and enforced the law in Caithness until at least 1222.[46]

To punish Earl Harold, King William at once had Harold's son Thorfinn blinded and so mutilated in Roxburgh Castle that he died there. William also

collected a large army and marched in person to Eysteinsdal or Ousedale near the Ord of Caithness, and Harold, though he is said to have brought together seven thousand two hundred men, avoided battle and evaded the king's pursuit.[47] Harold also began negotiations with King John of England and received a safe conduct for a journey to England to see him.[48]

Later in the year Harold is said to have recovered his earldom through the intercession of Bishop Roger of St. Andrews, for a payment of two thousand pounds of silver, which Munch conjectures may have been handed over to Ragnvald Gudrodson to replace the sum which he had paid to the king for the earldom; and it is true that we hear no more of Ragnvald in connection with Caithness, though he lived until 1229. At the same time, we can hardly believe that Harold, as the *Flatey Book* says, received back "all Caithness as he had it before that Earl Harald the Young took it from the Skot-king."[49] What happened probably was, that Harold Maddadson, who had been stripped by King Sverri of Shetland in 1195,[50] was allowed by King William in 1202 to keep part of his Caithness earldom upon payment by its inhabitants of a fine of every fourth penny they possessed. Otherwise his son David could not have succeeded to any part of Caithness, as he undoubtedly did, when, four years later, in 1206, his father's long and chequered career of sixty-eight years in the earldom was closed by his death at the age of seventy-three.

Ugly of countenance, but of great bodily strength and stature, crafty, self-seeking, treacherous and wholly unscrupulous, he is still known in the North as "the wicked Earl Harold," yet the Saga classes him with Sigurd Eysteinsson and Thorfinn Sigurdson as one of the three greatest of the Jarls and Earls of Orkney and Caithness.

On the mainland, no new earldom north of the Oykel

was conferred on anyone for a further period of thirty years. It was, in fact, neither the policy nor, save in very exceptional cases, the practice of the Scottish kings to grant earldoms to men with powerful followings and vast territories;[51] for these made them, especially in remote situations, almost independent rulers, and dangerous enemies, and it was undesirable to increase their importance by additional dignities. It was, on the contrary, usual by charter to create barons and other military tenants, who should hold their lands, described in their charters, by military service, in male succession direct from the Scottish Crown, and liable to forfeiture for disloyal conduct. Nowhere were military tenants so essential as they then were in the extreme north of Scotland on lands immediately adjoining the territories of Norse jarls owing double allegiance, and therefore of doubtful loyalty to the Scottish Crown. For this reason also no part of the lands of the Erlend line would be granted to the line of Paul, as an addition to their own.

From what has been above stated, it will appear that we have treated the well known history, intituled *The Genealogie and Pedigree of the Earles of Southerland* and written down to 1630 by Sir Robert Gordon, Baronet of Gordonstoun, and continued by Gilbert Gordon of Sallach[52] until 1651, as mere fiction as regards all persons before William, first Earl. "Alane Southerland, Thane of Southerland," Walter "first Earle," Robert, second earl, who is alleged to have founded "Dounrobin Castell" were purely fictitious persons. "Hugh Southerland, Earle of Southerland nicknamed Freskin" existed, but never was an earl, as Sir Robert well knew, because he quotes charters right up to his death, in which he was styled simply Hugo Freskyn. The *Sutherland Book* also wholly omits William MacFrisgyn, second Lord of Duffus and Strabroc, the son and heir of Freskyn I and the father

of Hugo. A revised pedigree of the early generations of Freskyn's family will be found in an Appendix to this book, and it is believed to be correct. At the same time it is in conflict as to the first three generations with so high an authority as the late Cosmo Innes, and Sir William Fraser followed him. However this may be, it is abundantly clear, from contemporary and undoubtedly authentic records still happily extant, that in the twelfth century Freskyn de Moravia and his immediate successors were the guardians appointed by one Scottish king after another to protect the fertile coast lands of Moray and Nairn alike against the race of MacHeth from the hills and the Norse invader from the sea; and that on the extensive territories which they possessed, they built stately castles and endowed cathedrals and churches with lands and tithes, providing from their family not only high ecclesiastical dignitaries to serve them, but distinguished soldiers and administrators to give them peace; services which their successors in the thirteenth century were, in their turn, destined to repeat and continue in Sutherland, Strathnavern and Caithness, when the old Norse earldom there had been broken up and effectively incorporated in the kingdom of Scotland.

CHAPTER VIII.

Earls David and John.

ON the death of Earl Harold Maddadson in 1206, he was followed in the earldom of Orkney, without Shetland, by his elder surviving son, David, who also, it would seem, was allowed to succeed to the Caithness earldom and some of its territory. But out of the Caithness earldom there had been taken the lands forming the Lordship of Sudrland or Sutherland held by Hugo Freskyn from about 1196, and this comprised, as already stated, the parishes of Creich, (then including Assynt), Dornoch, Rogart, Kilmalie (now Golspie), Clyne, Loth, and by far the greater part of the parishes of Kildonan and Lairg. Out of these lands Hugo granted, as already stated, to his relative Gilbert de Moravia, Archdeacon of Moray from 1204 till 1222, and to his heirs and assigns whomsoever, all Creich and much of Dornoch parish up to the boundaries of Ross, and the date of this grant was probably about 1211. The Mackays were beginning to occupy the western parts of Strathnavern, their title being probably their swords, and they held their lands "manu forti," their country being a refuge for their Morayshire kinsmen, the MacHeths, who were in constant rebellion. The eastern portion of Strathnavern, and particularly the neighbourhood of Loch Coire and Loch Naver, and all the Strathnaver valley were probably insecurely held by members of the Erlend and Moddan family after Harald Ungi's death at the battle of Clairdon in 1198; and Gunni, probably a grandson of Sweyn Asleifarson, who had married Ragnhild, Harald Ungi's youngest sister, after the death in the same battle of Lifolf Baldpate, her first husband,

became chief of the Moddan Clan there and in Caithness. After 1200 Ragnhild had by Gunni a son called Snaekoll Gunni's son, who thus became, on his father's death, the chief representative in Scotland, both of the Moddan family and of the line of Jarls Erlend Thorfinnson, St. Magnus, and St. Ragnvald, and of Eric Stagbrellir and of Earl and Jarl Harald Ungi; and Snaekoll afterwards laid claim to their possessions in Orkney, as the sole male representative of this line. Gunni and Ragnhild must have held the Strathnaver lands, and the Moddan family lands in Caithness, formerly Earl Ottar's estates, till their deaths, and Snaekoll was their sole known male heir. The Harald Ungi share of the Caithness earldom lands, which *The Flatey Book* and *Torfaeus* state that Jarl Ragnvald had held, does not appear to have been granted to David, or to any successor to the Caithness earldom of his line, or to any other person at this time. Indeed, the line of Paul were the last persons to whom such a grant would be made.

It was, therefore, to a very much reduced territory and earldom that David succeeded in 1206, as Earl of Caithness. We hear almost nothing of him, save that for the latter part of the eight years of his rule,[1] more or less inefficient probably through ill health, he shared the earldom and what had been left to him of its lands with his younger brother John. David died without issue in 1214[2] probably soon after Hugo Freskyn, and David was succeeded by his brother John in the jarldom of Orkney and in the reduced earldom of Caithness as sole jarl and earl.

Immediately after David's death, King William the Lion, who had, in 1211, suppressed a rebellion in Moray of the Thanes of Ross under Guthred son of Donald Ban MacWilliam whom a few years later he captured and beheaded,[3] came to Moray again; and, about the 1st of August 1214, King William demanded,

and received[4] Earl John's daughter, whose name is not known, as a hostage for her father's loyalty, and a guarantee of the peace then made, under which John was probably recognised as earl and as entitled to his reduced territory. His daughter may, at this time, have been her father's sole heiress, although she did not remain so, because we find that he had a son who lived till 1226, called Harald. Meantime Bishop Adam, after the death in 1213 of Bishop John, his half-blinded and mutilated predecessor, succeeded to the Episcopal See of Caithness,[5] and seems to have reversed Bishop John's policy of leniency to his flock by exacting from them heavier and heavier tithes, as years went by.

In 1217, King Hakon's rival, Jarl Skuli, thought Earl John so promising a traitor as to send him letters forged with the Norse king's seal.[6] In 1218 John was present at Bergen to witness the ordeal successfully undergone by King Hakon's mother in order to prove that king, then a boy, to be her son by the late King Hakon Sverri's son, and so rightly entitled to the Norwegian crown.[7]

After Earl John's return from Norway, the bishop's exactions of tithes of butter reached such a pitch that the Caithness folk met near his house at Halkirk, and demanded that the earl should protect them against the bishop's rapacity, and, either at the earl's suggestion or without any opposition on his part, they attacked the bishop in his house, which was close to *Breithivellir* (now Brawl) Castle, where John lived. The Saga gives the following description of this affair:—[8]

"They then held a Thing on the fell above the homestead where the earl was. Rafn the Lawman was then with the bishop, and prayed the bishop to spare the men; also he said he was afraid how things might go. Then a message was sent to Earl John with a prayer that he would reconcile the bishop and the freemen;

but the earl would come never near the spot. Then the freemen ran down from the fell and fared hotly and eagerly. And when Rafn the Lawman saw that, he bade the bishop devise some plan to save himself. He and the bishop were drinking in a loft, and when the freemen came to the loft, the monk went out at the door; and was straightway smitten across the face, and fell down dead inside the loft. And when the bishop was told that, he answered, 'That had not happened sooner than was likely, for he was always making our matters worse.' Then the bishop bade Rafn tell the freemen that he wished to be reconciled with them. But when this was told to the freemen, all those among them who were wiser were glad to hear it. Then the bishop went out and meant to be reconciled. But when the worse kind of men saw that, those who were most mad, they seized Bishop Adam, and brought him into a little house and set fire to it. But the house burned so quickly that they who wished to save the bishop could do nothing. Thus Bishop Adam died, and his body was little burnt when it was found. Then a fitting grave was bestowed on it,[9] and a worthy burial. But those who had been the greatest friends of the bishop, then sent men to find the King of Scots. Alexander was then King of Scots, the son of King William the Saint. But when the king was ware of these tidings" (he took it) "so ill that men have those miseries in mind which he wrought after the burning of the bishop, in maiming of men and manslaying, and loss of goods and banishment out of the land."

From the above account of the matter, it appears that Earl John, who was responsible for law and order in Caithness at the time, although invited by Rafn the Lawman to intervene, and although he was on the spot, did nothing, saying "he could give no advice" and "that he thought it concerned him very little," and

adding that "two bad things were before them, that it was unbearable" and that "he could suggest no other choice,"[10] that is, but to pay the bishop's tithes, however exorbitant, or not pay them, or possibly to make an end of him. It is clear also that the monk who was with the bishop was to blame for his exactions. But there is some excuse in the fact that Bishop John had been censured by Rome for his neglect in collecting the dues of Rome or Peter's Pence as greatly as Bishop Adam was blamed by the people of Caithness for his greediness. There is no need to brand Bishop Adam as a voluptuary for excessive drinking and immorality.[11]

These events took place in 1222, and King Alexander, urged by the remainder of the bishops in Scotland, at once marched into Caithness with an army, and took vengeance on the bishop's murderers by mutilating a large number of those concerned and seizing their lands,[12] while in 1223 the Pope excommunicated them and also interdicted them from their lands.

The Annals of Dunstable, however, paint Earl John in much blacker colours, and state that he himself caused the bishop, who was escaping from the fire, to be cast into it again, and the bodies of two others previously slain, his nephew and the monk, to be thrown upon him, and that King Alexander forfeited half John's earldom.[13]

The Saga says that the king forfeited Earl John's lands for the murder of the bishop. Wyntoun, however, states that afterwards, at Christmas festivities at Forfar,

> "Thare borwyd that erle than his land
> That lay unto the Kyngis hand
> Fra that the byschape of Cateness,
> As yhe before herd, peryst wes."[14]

By this "borrowing," however, Earl John recovered

only the reduced earldom above described, that is without the Lordship of Sutherland, to which William de Moravia, Hugo's son, had succeeded between 1211 and 1214, and without that south-western portion of it, which, as stated, had been given to Gilbert de Moravia by Hugo in 1211, and without the Moddan family's lands near Loch Coire and in Strathnaver and Caithness, and without Harald Ungi's moiety or half share of the Caithness earldom; and, as already stated, the lands appertaining to this share were probably occupied by his family as represented by Gunni and Ragnhild, Eric Stagbrellir's youngest daughter, and by the members of the Moddan clan, and the retainers of the Erlend line.

In 1223, Earl John was again at Bergen, with Bishop Bjarni of Orkney and others, to consider the rival claims of King Hakon and Jarl Skuli to the Norse crown,[15] and in 1224 he went thither again to leave his only son, Harald, as a hostage for his own loyalty.[16] In 1226, Harald was drowned at sea, probably on his return voyage, thus leaving John without any male heir, and save for his nameless hostage daughter or her children, if any, without any direct lineal heirs for the jarldom and earldom of Orkney and of Caithness respectively.

In 1228 John sent presents to the Norse king, and received in return a good long-ship and many other gifts; and in 1230 John is found aiding Olaf, King of Man, a friend of the Norse king, by giving him a like vessel, "The Ox," to enable him to complete his voyage back from Norway to his own kingdom, and in the same year John rendered assistance to the Norse expedition, which had attacked the South Hebrides, by harbouring its ships in Orkney on their voyage back to Norway.[17]

From the above facts it is clear that Earl John, though he owed allegiance to both kings, was more

inclined to favour Norway than Scotland, and that he was more constantly in attendance at the Norse, than at the Scottish Court. At the same time it became more and more likely that he would have to choose between his two masters, as war for the Sudreyar or Hebrides was already certain to break out between the two countries, and, save for civil war in Norway, would have broken out at once.

Snaekoll[18] Gunni's son, as the sole male representative of the Erlend Thorfinnson, St. Magnus, St. Ragnvald, Eric Stagbrellir and Harald Ungi line remaining in Scotland, who had probably about this time succeeded, or at least was recognised as next heir to the Moddan family estates in Strathnaver and Caithness, approached Earl John in 1231, and demanded from him Jarl Ragnvald's lands in Orkney. But the earl, who held Orkney in its entirety as the representative of the line of Paul and of Harold Maddadson, who had seized it when Jarl St. Ragnvald died in 1158, refused to give Snaekoll any part of those lands; and Snaekoll, failing to obtain any redress, sought the aid of Hanef, formerly a page, but now Commissioner in Orkney, of the Norse King, and demanded his help in recovering his lands there. Snaekoll and Hanef with a large following accordingly crossed the Pentland Firth to Thurso to enforce the claim, but the earl again angrily refused to restore the lands in Orkney, and it would seem that he was also unwilling to let Snaekoll have his rights in Caithness.[19]

Each party occupied separate lodgings in Thurso with their separate followings, and Hanef and his friends, warned by a messenger of the earl's reported design of killing them, forestalled it by attacking the earl first, and they slew him with nine wounds in the cellar of his lodgings. After the affray they crossed over to Orkney, where they fortified the small but

massive castle[20] or tower of Kolbein Hruga or Cobbie Row, in the Island of Vigr or Wyre, now called Veira, near Rousay in Orkney, and provisioned it for a siege, which lasted the whole winter, and was raised only after both sides had come to an agreement that all questions arising out of the earl's death at Thurso, should be referred, not to the Scottish courts, but to the Norse king, Hakon, in Bergen.

Both parties, with their witnesses, accordingly crossed the North Sea in 1232, and Hakon heard the case, and punished the partisans of Snaekoll, some with death and others with imprisonment. Snaekoll himself, who, as the heir of Jarl Ragnvald, was too valuable a pawn to be sacrificed, was retained, and lived long in Norway with Earl Skuli, and afterwards with King Hakon.[21] It is noteworthy that a *gaedinga* ship (no Jewish Ship,[22] as Torfaeus states, but a ship of the *gaedingar* or *lendirmen* of the Earl of Orkney) was, on the return voyage, lost at sea; and, bearing in mind the large number of Orkney notables who had been slain at the battle of Floruvagr in Norway in 1194, men of means and standing must have been scarce in Orkney for long after this time.

There is a tradition mentioned by Alexander Pope of Reay,[23] the translator of the *Orcades* of Torfaeus, that Snaekoll, being deprived of his rights in Orkney by King Hakon, returned late in life to Caithness, where the Norse King could not deprive him of anything, and lived in that county at Ulbster. If so, why did he return ?

The answer brings us to a mysterious lady, who is known to us through a charter[24] of May 1269 preserved in the *Registrum Episcopatus Moraviensis* or Chartulary of the Bishopric of Moray, and who is called therein *nobilis mulier domina Johanna,* the then deceased wife of Freskin de Moravia, Lord of Duffus, who had died before her. From her name of Johanna

this lady is stated to have been a daughter of Earl John, amongst others by so eminent an authority as the late Mr. William F. Skene in a paper "on the Earldom of Caithness," first read to the Society of Antiquaries of Scotland on the 11th March 1878, which is reprinted as Appendix V to the Third Volume of his *Celtic Scotland* at pages 448 to 453, and the lady is generally known as Lady Johanna de Strathnavir; and on her descent much subsequent history depends.

Skene's conclusion is that the half of Caithness which afterwards belonged to the Angus earls was that half usually possessed by the line of Erlend Thorfinnson, and that Joanna (or Johanna) was Earl John's daughter, and, as such, inherited the Paul share of the earldom and brought it to Freskin de Moravia, when he married her, without the title.

We doubt the accuracy of this conclusion, for reasons which, however, rest not on direct evidence, but, like those given in Mr. Skene's paper, on mere probabilities; and we hold that the converse is true, and that Johanna was no daughter of John, and that it was the Erlend half of the Caithness earldom lands that went to her and her husband Freskin de Moravia of Duffus, while the moiety of Paul, in our opinion, remained with a nameless daughter of John, and went along with the title of Earl of Caithness, to her husband Magnus, and so to the Angus earls of Caithness, though the lands which went with it were then much curtailed in extent.

But it must be remembered that, in the absence of records, any solution of this difficult problem at present rests on mere speculation and guesswork, and the opinions expressed here must be accepted as mere conjectures unsupported by direct contemporary evidence, and based only upon reasonable probability.

We propose to attempt to deal with this difficult subject in the next chapter.

CHAPTER IX.

The Succession to the Caithness Earldom.

AFTER the death of Earl John in 1231, we come to a most perplexing time, and it is almost impossible to discover a way out of the maze of genealogical difficulties in which we find ourselves involved. Not only is there no chronicle of the period, but there are hardly any records at all to help us. The pedigree of the descendants of Earl Harold Maddadson, and particularly of his daughters, who are named in the *Orkneyinga Saga,* ceases;[1] and that of Earl John's family and of Harald Ungi and his sisters downwards stops also, save in the case of Ragnhild, the youngest of them, whose son Snaekoll Gunni's son is mentioned as claimant in 1231 from Earl John of certain lands in Orkney and in Caithness as well.

Attempts to clear up the mystery have been made,[2] but none of them have resulted in any certain or trustworthy conclusions. Nor can anyone now expect to fare much better; for not only are authentic pedigrees of the Caithness earls and the materials for framing them undiscovered or non-existent, but yet another pedigree, namely that of the Angus line, which provided, from its male members, successors to the title and to a moiety of the Caithness earldom, is very obscure.

This chapter, therefore, is largely conjectural, and must be accepted as such. It deserves, and will doubtless receive, severe criticism.

So far as the Angus pedigree can be ascertained, it appears that Earl Gillebride died about 1187, leaving two sons, Adam and Gilchrist, who succeeded in turn to that earldom, and Gillebride also left a third

son, Gilbert,[3] a fourth, William, and a fifth, Angus, who had a son Gillebert or Gillebryd. Gilchrist died about 1204, leaving an eldest son, Duncan, Earl of Angus, and another son called Magnus, by his two wives respectively, his second wife, from the name of Magnus given to her eldest son and to many subsequent earls of that son's line, being assumed with considerable probability to have been, not a sister of Earl John, but a sister of Harald Ungi, either Ingibiorg or Elin. Duncan died about 1214, and left a son, Malcolm, Earl of Angus, whose sole heiress was a daughter, Matilda, who, about 1240, married, first, John Comyn, who was killed in France shortly after the marriage, without leaving issue to inherit. As her second husband, Matilda, Countess of Angus married Gilbert d' Umphraville, Lord of Prudhoe and Redesdale in Northumberland in 1243; and their son, also named Gilbert d' Umphraville, was born about 1244, and succeeded his father as Earl of Angus in 1267, and though both these Gilberts became successively Earls of Angus,[4] neither of them ever became Earl of Orkney. Robertson's contention in his *Early Kings of Scotland,* (vol. II, p. 23 note) that they were grafted on the wrong pedigree seems justified by the discrepancy in dates; for the Icelandic Annals give only one Gibbon who died in 1256, and we know that Magnus III was earl in 1263 and till 1273. Indeed little confidence can be reposed in the Diploma of the Orkney Earls, the only authority for the existence of two Orkney Earls called Gilbert, and in the period covered by the *Orkneyinga Saga,* we can prove many errors in the Diploma.

Of Magnus son of Gilchrist, Earl of Angus, we know something. He was alive in 1227, when he attested the record of the perambulation of the boundaries of the lands of the Abbey of Aberbrothock,[5] and in the List of the Oliphant family charters dated 1594 in the Register House in Edinburgh there is an

entry of "Ane charter under the Great Seill made be Alexr to Magnus sone to Gylcryst sometime Earle of Angus of the Erledome of South Caithness" which included Berridale and lands which Magnus' great-grandson's granddaughter's husband Malise II conveyed to Reginald Chen III, known as "Morar na Shein," after 1340.

It has been suggested that after Earl John's death in 1231, the successor to the earldom of Caithness was a minor, which Earl Gilchrist's son, Magnus, could not have been in 1231, and that this minor and ward was a son of Magnus, and bore the same name as his father.

The wardship seems at first sight to be proved in Robertson's *Early Kings*,[6] and the proof is to the following effect :—Malcolm of Angus attested a charter in Earl John's lifetime on 22nd April 1231, using his own title of "Angus" only. After John's death, Malcolm attested another charter on 7th October 1232 as "M. Comite de Anegus et Katania,"[7] using, in addition to his own title of Angus, as was customary, the title of a ward, who was heir to another earldom, in this case that of Caithness. But on 3rd July 1236, Malcolm Earl of Angus, who lived till 1237 if not longer, attested a third charter using his own title of "Angus" only, without the addition "and of Caithness." These facts can be explained by his ward's having attained his majority and entered upon his earldom of Caithness between 7th October 1232 and 3rd July 1236. They cannot be explained by saying that "M" was not Malcolm, but Magnus, and that "M" stands for Gilchrist's son Magnus, who had become Earl of Caithness. For there was no "M. Comes de Angus" at the time save Malcolm, and Malcolm was therefore for about four years Earl of Caithness as well as of Angus.

Robertson's explanation is that Malcolm was Earl

of Caithness only as guardian of a ward entitled to that earldom. The question then arises, as Robertson puts it, "who was the heir?" and he answers it, "certainly not his[8] uncle Magnus, son of Gillebride,[9] but very probably the son of Magnus by Earl John's daughter; the supposed grant of the Earldom to this Magnus being probably grounded upon his real marriage with the heiress," and he adds "If, on the death of Earl John in 1231, his grandson was an orphan and a minor, his wardship would naturally have been granted to the next of kin, his cousin the Earl of Angus."

One further charter has to be dealt with. In *Reg. Hon. de Morton,* vol. I, p. xxxv, cited in *Origines Parochiales* vol. II, p. 805, a grant by King Alexander II, to Patrick Earl of Dunbar dated 7th July 1235 is attested by a witness, whose name or initial is illegible, but who is styled .....*Earl*.....*Katanay*,.....*Comite*... ...*Katanay,* and a confident opinion is expressed in a note to the citation that the witness was Magnus, Earl of Caithness. Now, Earl John's daughter was taken as a hostage on August 1, 1214, and, if she was then marriageable and was married at once, her eldest child could have been born about May 1215, and would attain twenty-one about May 1236, but to suppose her son of the name of Magnus to have been the ward for whom the Earldom of Caithness was being kept till 7th July 1235 from 1232 and that he had become Earl of Caithness on the 7th July 1235 seems impossible. If the blank should be filled up with "de Anegus et," then Malcolm Earl of Angus must still have been the guardian, and the ward's father and mother must both have been dead by 7th October 1232. This involves three unproved assumptions, of two unrecorded deaths and one unrecorded birth.

On the whole, therefore, we believe that there is another and simpler explanation, and it seems probable

that there was in this case no wardship, or if there was, that there was a great deal more, and that Malcolm held the earldom of Caithness as *Custos* or administrator or trustee for the Crown for four years after Earl John's death till the succession was settled, and till all Caithness except Sutherland was parcelled out among three claimants, namely the two heirs, each of one of two sisters of Harald Ungi, and the hostage daughter of Earl John.

When all this was settled, Magnus, as the son of one of the two elder sisters of Harald Ungi, and also as the husband of Earl John's daughter, would be entitled on Earl John's death, *jure maritae,* in Orkney, to a grant from the Norse king of the Orkney jarldom, and also, in Caithness, *first, jure maritae,* to a grant from the Scottish king in or after 3rd July 1236, of the North Caithness earldom and lands held by Earl John, which Dalrymple in his Collections (p. lxxiii) states positively, without quoting his authority, that Magnus had for a payment of £10 per annum, and, *secondly, jure matris* (Ingibiorg or Elin) to a grant, also from the Scottish king, of the earldom of South Caithness, which by the Charter of Alexander "under the greit Seill," above alluded to, Magnus also got.

The other moiety of the Caithness earldom lands would be fairly given to Johanna as heiress of Ragnhild, Harald Ungi's youngest sister, and we know that Johanna got that other moiety, because we find that her descendants inherited it, and conveyed it or parts of it by writs still extant, by the description of "half Caithness."

There are, however, other views. Skene's opinion on the subject of the succession, in his very able paper (given in Appendix V, vol. iii, pp. 449-50 of his *Celtic Scotland*), is as follows:—

"Earl Harald died in 1206, and was succeeded by

his son David, who died in 1214, when his brother John became Earl of Orkney and Caithness. Fordun tells us that King William made a treaty of peace with him in that year, and took his daughter as a hostage, but the burning of Bishop Adam in 1222 brought King Alexander II down upon Earl John, who was obliged to give up part of his lands into the hands of the king, which, however, he redeemed the following year by paying a large sum of money, and by his death in 1231 the line of Paul again came to an end.

"In 1232, we find Magnus, son of Gillebride, Earl of Angus, called Earl of Caithness, and the earldom remained in this family till between 1320 and 1329, when Magnus Earl of Orkney and Caithness, died; but during this time it is clear that these earls only possessed one half of Caithness and the other half appears in the possession of the De Moravia family, for Freskin, Lord of Duffus, who married Johanna, who possessed Strathnaver in her own right, and died before 1269, had two daughters, Mary, married to Sir Reginald Cheyne, and Christian, married to William de Fedrett; and each of these daughters had one fourth part of Caithness, for William de Fedrett resigns[11] his fourth to Sir Reginald Cheyne,[12] who then appears in possession of one-half of Caithness (Chart. of Moray; Robertson's Index). These daughters probably inherited the half of Caithness through their mother Johanna. Gillebride[13] having called one of his sons by the Norwegian name of Magnus, indicates that he had a Norwegian mother. This is clear from his also becoming Earl of Orkney, which the king of Scots could not have given him. Gillebride died in[14] 1200, so that Magnus must have been born before that date, and about the time of Earl Harald Ungi, who had half of Caithness, and died in 1198. Magnus is a name peculiar to this line, as the great Earl Magnus belonged to it, and Harald Ungi had a brother

Magnus. The probability is that the half of Caithness which belonged to the Angus family was that half usually possessed by the earls of the line of Erlend,[15] and was given by King Alexander with the title of Earl to Magnus, as the son of one of Earl Harald Ungi's sisters, while Johanna, through whom the Moray family inherited the other half, was, as indicated by her name, the daughter of John, Earl of Caithness of the line of Paul, who had been kept by the king as a hostage, and given in marriage to Freskin de Moravia."

Sir William Fraser[16] in a note to the *Sutherland Book*—a mere *obiter dictum,* however—doubts Skene's suggestions "that Johanna, Lady of Strathnaver, who married Freskin de Moravia, Lord of Duffus, about 1240, was the daughter of John Haraldson," that is Earl John, and that "Magnus of Angus was the son of a sister of a former Earl of Caithness," and states that "Skene's arguments are plausible, but there is no very good evidence in support of them." Skene's argument rests mainly on the names "Johanna" and "Magnus," by itself an insecure foundation, and one which it is hoped to explain or remove, adopting the argument from "Magnus," a name which constantly recurs, and rejecting the argument from "Johanna," a name which never again appears, in this family.

A century or more after the death in 1231 of Earl John, we find Reginald Chen III, known as Morar na Shein or "Lord" Schen, in possession of a moiety of the Caithness earldom, without the title, and living in Latheron and Halkirk parishes, while the other moiety was held by the Caithness Earls of the line of Angus, and in 1340 we find Reginald More, Chamberlain of Scotland, ancestor of the Crichton or Sinclair Earls of Caithness, acquiring from Malise II, one of the Stratherne Earls of Caithness and a descendant of the line of Paul and also of the line of Erlend, part of south Caithness (including Berridale), which therefore Regi-

nald Chen III did not then own or acquire, though he owned half Caithness. But Reginald Chen III did acquire Berridale and other lands later in David II's reign according to *Origines Parochiales*, II, p. 764.

Now it is known from other sources that Reginald Chen III was a grandson of Johanna of Strathnaver, the mysterious lady of unrecorded parentage already referred to, who owned land in "Strathnauir," and who was dead in 1269, and who had married, at a date which we hope to fix, Freskin de Moravia, Lord of Duffus, then also dead, and had had by him two daughters, Mary and Christian, who were married respectively to Reginald Chen II and William de Federeth I (whose sons respectively were Reginald Chen III and William de Federeth II) and these ladies succeeded each to one fourth of Caithness; and a grant,[17] which was made in David II's time by William de Federeth II in favour of Reginald Chen III, placed him in possession of William de Federeth II's quarter of Caithness. Reginald Chen III thus had all the half share of Caithness which was held by his grandmother, Johanna of Strathnaver. We also know that by another grant in 1286[18] William de Federeth I had already conveyed to Reginald Chen II four davachs of land in Strathnaver and all his other lands there; and, besides these grants, we have authentic record in May 1269, which recites that Lady Johanna had before that date granted a considerable part of her lands in Strathnaver to the Bishop of Moray for the maintenance of two chaplains to minister in the Cathedral of Elgin.

By the above record, which is a regrant of the Strathnaver lands by Archebald Bishop of Moray in May 1269 to Reginald Chen II, not only is his marriage before that date to Mary daughter of Johanna by Freskin de Moravia proved, but the lands in Strathnaver are identifiable. They were "Langeval and Rossewal, tofftys de Dovyr, Achenedess, Clibr', Ar-

dovyr and Cornefern," which now are known in part as Langdale, Rossal, Achness, Clibreck and Coire-na-fearn, while "tofftys" are "tofts," and "Dovyr" and "Ardovyr" are respectively old Gaelic for "water" and for "upper water." "Dovyr" would denote the River Naver and loch of that name, and "Ardovyr" would mean Loch Coire and the Mallard River, that is the "Abhain 'a Mhail Aird" of the Ordnance Map (whatever that may mean),[19] which rises in Loch Coire, and, after a course of six miles from its upper valley, falls about 330 feet below its source into the River Naver at Dalharrold. These lands of the Lady Johanna lay partly to the south of Loch Naver, extended southwards nearly to Ben Armine, and stretched westwards to Loch Vellich or Bealach and the Crask and Mudale, eastwards to Loch Truderscaig, and northwards down the valley of the Naver at least as far as Syre. Part of them, close to Achness,[20] is to this day known locally as Kerrow-na-Shein, or Chen's Quarter, either after Johanna's son-in-law, Sir Reginald Chen II, or after her grandson of the same name, the great "Morar na Shein," about whom so many legends still survive in Cat. These lands in Strathnaver are roughly hatched on the map of Cat in this volume, and, as she gave them away in charitable trust, they probably formed only a small part of her whole estate after her marriage with Freskin de Moravia, which probably comprised the old Parish of Farr, now divided into Tongue, Farr, and Reay.

It is suggested that the ownership of these lands in Strathnaver and of the other upland territories in Halkirk and Latheron parishes, held by her descendants and sequels in all her estate, the Chens, connects the Lady Johanna with the family of Moddan "in dale" in Caithness and with Earl Ottar, and with Frakark and Audhild her niece, and that Johanna was entitled to these lands in their entirety in her own right as

the sole descendant remaining in Scotland after 1232 of Harald Ungi's younger surviving sister Ragnhild, possibly through her son Snaekoll by Gunni, and that Snaekoll was next heir to these lands before he went abroad, and either that he was Johanna's father, or that she became Ragnhild's heir in his place. In this way Johanna would have a good right, especially if Magnus, son of Gilchrist, had been compensated for his mother's share by receiving a grant of South Caithness and its earldom, to receive a grant of the rest of the Harald Ungi half share of the Caithness earldom, lands previously held by Jarls and Earls St. Magnus and Erlend Thorfinn's son or some lands of equal value, and the reason why she had such very large estates as those which she brought to her husband and the Chen family as their successors would be made clear. For she would have completed her title to a large share of the Erlend lands, and also to the Moddan lands which Gunni and Ragnhild had entered upon and held after the elder sister of Ragnhild had left Caithness on her marriage with Gilchrist Earl of Angus.

In support of Johanna's title it is to be observed that neither Magnus II, nor his wife, is recorded to have claimed any part of the Strathnaver lands, a fact which indicates that Johanna and her predecessors had acquired an independent title to them, and that, too, a title not derived through Earl John. Again, (though in a time when records fail us, the argument proves little) Johanna, although from her probable date she might have been so, is not recorded to have been a daughter of John. Further, to be of suitable age[21] to marry Freskin she must have been born long after any known child of Earl John, even his son Harald who had died in 1226. Lastly, neither Johanna nor her husband Freskin nor any descendant of hers ever claimed either the whole of or any share in the Orkney jarldom,[22] which Earls Harald Maddadson,

David and John had held in its entirety, and to which Johanna, had she been Earl John's only daughter, or her husband Freskin would have been entitled to claim to succeed as sole heir; while if John had had two daughters, and Johanna had been one of them, she or her husband Freskin would have been entitled to claim a grant of some share at least of the lands appertaining to the Orkney jarldom.

It was, however, Earl Magnus who made such claims, and with success, and he may well have obtained the Orkney jarldom and lands, and part of the Caithness earldom as well, with the title, not only as being the son of the elder of Harald Ungi's sisters, but as the husband of Earl John's nameless daughter, while his name of Magnus, afterwards so often repeated in the Angus line, came into that line obviously through his mother at his baptism, and not through his wife at his marriage.

The name of Johanna, on which Skene mainly founds his assertion that Johanna of Strathnaver was Earl John's daughter, is just as easily explicable, and with equal verisimilitude, if she was not. Snaekoll went to Norway in 1232, leaving behind him, on our hypothesis, one child, an infant daughter of tender years, or possibly as yet unborn. The child of a younger child of Ragnhild would probably be still younger. Heiress to very large landed estates and justly entitled to claim a moiety of the Erlend Thorfinnson half of Caithness and all the Moddan territories, this child would be made by the king of Scotland a ward, to be married, if female, in due course to a suitable husband. The Queen of Scotland, who in 1232 had been childless for eleven years and never had any children afterwards, was an English princess who was married to Alexander II on 19th June 1221, and lived till 4th March 1237-8, a period which would cover all Johanna's early years. The queen's name was

Joanna, and Johanna of Strathnaver may have been called after her, as Earl John had possibly been called after her father King John of England, the friend of Earl John's father, Harold Maddadson.

We now have to fix the date of Freskin de Moravia, nephew of William, *dominus Sutherlandiae* since about 1214. Freskin, as stated, was undoubtedly the husband of Johanna of Strathnaver, and became on his marriage owner of her lands there as well as of a moiety of the Caithness earldom lands.

Freskin was, as also stated, the eldest son of Walter de Moravia of Duffus, second son of Hugo Freskyn of Strabrock, Duffus and Sutherland by Walter's marriage with Euphamia, probably, from her name, a daughter of Ferchar Mac-in-tagart, who became Earl of Ross.[23] As Ferchar granted[24] certain lands at Clon in Ross about the year 1224 to Freskin's father Walter de Moravia of Duffus without pecuniary or other valuable consideration, it has been concluded, probably correctly, that this grant was made on the occasion of the marriage of Walter to Ferchar's daughter Euphamia; and Freskin, their heir, was born in or after 1225, and had become *dominus* de Duffus by 1248 on his father's death. Johanna, on our hypothesis, would have to be born by 1232 at latest, that is, before or soon after her supposed father Snaekoll went to Norway, and from her supposed father's date she could hardly have been born before 1225. Snaekoll's date can be ascertained with comparative accuracy. For his mother lost her first husband, Lifolf Baldpate, only in 1198, at the battle of Clairdon, and she can hardly have married Snaekoll's father, Gunni, much before 1200. From these dates Snaekoll could have been born by 1201, and married in Scotland between 1224 and 1231, and Freskin and Johanna would thus be of very suitable ages to marry each other, and their marriage therefore would take place after 1245, or

possibly as late as 1250. If Johanna was the daughter of a younger child of Ragnhild, she might be born later than 1225.

This would involve a long minority for Johanna, and by reason of her marriage with Freskin de Moravia in 1245 or later, we suspect that Freskin's uncle, William *dominus Sutherlandiae,* whose territories were bounded on the north and east by her lands, was her guardian, an office whose duties the head of the powerful and loyal House of Sutherland alone could efficiently perform in the troublous and turbulent times of her minority.

From Bain's *Calendar of Documents* relating to Scotland[25] we know that Freskin was one of the signatories of the National Bond of mutual alliance and friendship with Sir Llewelin son of Griffin, Prince of Wales, and other leading Welshmen on the 18th of March 1259. Freskin would not have been asked to sign a document of such international importance unless, like another of its signatories, Sir Reginald Chen I (whose son of the same name, Reginald Chen II, married Freskin's daughter, Mary of Duffus, later on) he had been one of the leading men of his time in Scotland. We also find that his rights were saved in a charter of 11th April 1260 and that on 13th October 1260 he was one of the three vice-gerents of Alexander Comyn, Earl of Buchan, Justiciar of Scotland, present in Court at Perth on that date.[26]

On the 16th March 1262-3 from a grant of two chaplains[27] for the weal of the soul of the deceased Freskin of Moray, Lord of Duffus, we know that he had died before that date, that is, probably before his fortieth year. Freskin, then, died after 13th October 1260 and before 16th March 1262-3, and was buried in the chapel of St. Lawrence in the Church of Duffus, which he had founded and endowed with lands at Dawey in Strath Spey, and Duffus. His wife Johanna

("quondam sponsa" "quondam Friskyni de Moravia") was certainly dead in May 1269 (Reg. Morav., ch. 126, p. 139).

They left no male heir, but they left two daughters, Mary and Christian, both minors at their father's death and probably too young to have been married in August 1263, when, as we shall find, their lands and their half share of the Caithness earldom sadly needed defenders from Norse invaders.

Owing to subsequent additions of territory, it is impossible at the present time to say exactly what all the lands owned by an independent title by Lady Johanna of Strathnaver were, but some guidance towards the further identification of her lands in Caithness is found in the fact that later charters give the names of the lands which her sequel in all her estate, Reginald Chen III, known as "Lord Schein" or "Morar na Shein" held,[28] and that he lived in and hunted from a castle at the exit of the river Thurso from Loch More above Dirlot or Dilred in Strathmore in Halkirk parish, but never owned Brawl, a capital residence of the Caithness earls, but did own to the end of his life "half Caithness," and acquired South Caithness after 1340 by purchase. Adding to this the facts, indications, and probabilities alluded to in this and preceding chapters as to the position of lands in Caithness variously owned, we are able to venture to come to a general conclusion as to the devolution of the Caithness earldom and lands.

This conclusion is, that what may be termed the shares of the respective lines of Paul and Erlend, the sons of Earl Thorfinn and others, in the Caithness earldom lands probably went respectively between 1231 and 1239 and afterwards in the following manner.

The right to succeed to the share of Paul passed, on his descendant Earl John's death in 1231, to Earl

John's only child then alive, the nameless hostage daughter, who, according to our theory, had after 1st August 1214 married Magnus, son of Earl Gilchrist of Angus by his second marriage with either Ingibiorg or Elin, both sisters of Harald Ungi, and both older than Ragnhild. But the title of Earl of Caithness and the enjoyment of the whole earldom was on Earl John's death temporarily conferred, in addition to his title of Earl of Angus, on Malcolm, Earl of Angus, and nephew of Magnus the husband of John's hostage daughter, as being the head of the Angus family and one of the most powerful earls in Scotland, pending a general settlement of the affairs of Sutherland and Caithness; and Malcolm held his own Earldom of Angus, and, in addition, for the Crown, as *Custos,* trustee, or administrator *pendente lite,* held Caithness after 22nd April 1231 and certainly at 7th October 1232, possibly till 3rd July 1236, when the following settlement was made.

Caithness, without Sutherland, was with the title of Earl of Caithness, North and South, confirmed to Earl Magnus II by two grants, the one of North Caithness in right of his wife and the other of South Caithness in right of his mother. The estate of Sutherland was after 10th October 1237 erected into an earldom in the person of William, who was the eldest son of Hugo Freskyn, and was then owner of the estate, this earldom being, as stated in the Diploma of the Orkney Earls, "taken away from Magnus II" in his lifetime, possibly out of South Caithness, by Alexander II.

On Magnus' death in 1239, Gillebryd or Gillebride, called in the Icelandic Annals Gibbon, who was either a son or younger brother of Magnus, succeeded Magnus II in the Orkney and Caithness titles and in the Paul share of the Caithness earldom, and it appears from a grant of the advowson of Cortachy on 12th December 1257 that Matilda daughter of Gillebert, "then late

Earl of Orkney," married Malise Earl of Stratherne. On Gillebride's death in 1256, his son Magnus III succeeded to Orkney and to the share of Paul in the Caithness earldom, as held by Earl Magnus II and Earl Gillebride his successor, that is without the Sutherland earldom, and without Freskin and Johanna's share of Caithness.

The right to succeed to the other share of Caithness, that of Erlend Thorfinnson, which, according to *The Flatey Book* had belonged to Jarl Ragnvald, and had been conferred on Harald Ungi by William the Lion in 1197, passed through Ragnhild, another and the youngest sister of Harald Ungi, and then through a child of hers, possibly Snaekoll Gunni's son, the only known male representative of this line at the time, or through a child of Snaekoll's younger brother or sister, along with the Moddan estates in Strathnaver and in various highland and Celtic parishes in Caithness, to Johanna of Strathnaver as Ragnhild's heir; but this share did not carry with it the title of Countess. It was held for her in wardship, but it was not formally granted and confirmed by the Crown to her or her husband Freskin de Moravia, who had become Lord of Duffus by 1248, until their marriage, in or after 1245, or even later, and when the settlement was made, possibly South Caithness was taken partly out of it.

If Earl John had left no daughter at all, the result in Caithness might well have been much the same; for in that case the Caithness title and lands might well have been conferred as to the title and a share of the earldom lands on the elder surviving sister of Harald Ungi, Ingibiorg or Elin, and her heir, while the other share without the title would go to the heir of the younger sister Ragnhild. But Magnus, if he had not married John's daughter, would not have got North Caithness, and it seems essential that Magnus should have married into the line of Earl John, in

order to found a claim on his part to the Jarldom of Orkney, which Harold Maddadson, David, and John (with whom Magnus had no relationship at all, so far as is known) had held in its entirety, in spite of the grant of a moiety of it to Harald Ungi, ever since Harald Ungi's death in 1198, and to the exclusion of the Erlend line from all share in Orkney, (save for Harald Ungi's grant) ever since Jarl Ragnvald's death in 1158.

But who will find *evidence to prove* our conjectures to be even approximately true ?

Till this is done, these matters rest upon mere conjecture, based mainly upon known Scottish policy, the name of "Magnus," and the probable situation of the lands owned by the parent lines and the families known afterwards to have held them, namely, the families of Cheyne, Federeth, Sutherland, Keith, Oliphant, and Sinclair, among whose writs or inventories of them search might be made.

CHAPTER X.

King Hakon and the North of Scotland.

WE can now turn with some sense of relief from the intricate maze of the genealogy of the Caithness earls to the more open ground of Scottish history, which we left at the date of the death of William the Lion in December 1214, when he was succeeded on the throne of Scotland by his son, Alexander II, a youth who had then just entered his seventeenth year. We can then work the results of our genealogical conjectures into the general history of the northern counties.

Alexander II, like his predecessors, was in the year after his accession immediately confronted with a revolt headed by Donald Ban MacWilliam the younger, another of the descendants of Ingibjorg of Orkney, widow of Earl Thorfinn and first wife of Malcolm Canmore. The scene of the rising was, as usual, Moray; and Donald was aided not only by the inhabitants of that province, but also by a large force of Irish mercenaries. This rebellion, however, was speedily crushed by Ferchar Mac-in-tagart of the family of the Lay Abbots of Applecross in the west of Ross, a county to which Henry, the eldest son of Harold Maddadson had in vain laid claim.

Differences which threatened to break out between Scotland and England were speedily settled, and the young king, as we have seen, married Joanna, sister of King Henry III of England, in 1221. Alexander next conquered the district of Argyll in 1222, and in the same year reduced Caithness to subjection on the occasion of Bishop Adam's murder, and he shortly afterwards put down two rebellions, the one in Moray, as above stated, and the other in Galloway, a district

which, however, he did not finally conquer till 1235, although Mac-in-tagart was knighted for a victory there in 1215, and soon after, by 1226, became Earl of Ross.[1] In 1236, as a punishment for burning to death the Earl of Atholl, in revenge for the defeat of a member of their family at a tournament, the Bissets were deprived of their estates near Beauly, and fled to England, where they endeavoured to embroil that country again with Scotland. In this they failed, and a treaty was signed between the two nations that neither should make war on the other unless it were first attacked itself.[2]

Argyll, Galloway, and Moray being subdued and settled, and the old Earldom of Caithness broken up, and divided among trustworthy feudal tenants holding their lands by military service from the Scottish king, the whole of the mainland of Scotland may now be said to have been effectively incorporated into one kingdom under the Scottish Crown. Ecclesiastically, also, the whole realm was divided into dioceses, whose bishops were appointed by consent of the king.

The dream of Malcolm II at last was realised.

The western islands of the Hebrides, however, still owed allegiance to the king of Norway, who was till 1240 engaged in civil war with Duke Skuli in his own kingdom. Alexander II therefore equipped a naval expedition to reduce the islands, but, soon after he had embarked, he sickened and died on the island of Kerrera, near Oban, in 1249, leaving as his successor, his son Alexander III, then only in his eighth year, who was married in 1251, before his eleventh year, to Margaret, daughter of Henry III of England, then a child of about the same age as himself. The marriage was followed by a nine years' struggle between the rival factions of Alan Durward, Justiciar of Scotland, and of Walter Comyn, Earl of Menteith, in which England constantly interfered, till the Comyn, or Scot-

tish, faction finally gained the upper hand. In 1261, Alexander III's only child Margaret, who afterwards became Queen of Norway, was born.

Between 1242 and 1245 two Scottish bishops had been sent to Norway by Alexander II to induce King Hakon to give up the Hebrides to Scotland, and now his son Alexander III sent another embassy of an Archdeacon and a Scot, called in the Saga Misel, but more probably Frisel or Fraser, who, being found to be spies, tried to escape, but were caught and made to witness the young King Magnus' coronation in his father's lifetime.[3] These embassies, though backed by offers of money compensation, were wholly unsuccessful.

Meantime affairs in Sutherland and Caithness had been pursuing an orderly course for nearly forty years. William, eldest son of Hugo Freskyn, had succeeded his father in Sutherland before 1214, the year of Earl David's death, and had in or after 1237 become its first Earl, and three years afterwards, according to tradition, though probably this event happened later, with the aid of Richard of Moray, Bishop Gilbert's brother, a Norse landing at Unes or Little Ferry is said to have been repulsed in a battle at Embo, near Dornoch in Sutherland. In this battle Richard fell, and the Norse Prince was also killed, the Ri-Crois at Embo, which has disappeared long ago, being erected in memory of the latter.[4] Earl William had died in 1248, and had been buried in the Cathedral at Dornoch, which Bishop Gilbert had founded close to and west of the site of the older Church of St. Bar, and which he had dedicated to the Blessed Virgin Mary in or after 1222.

The Bishop had given to his diocese of Caithness[5] the Constitution which is still extant at Dunrobin. This Constitution, like that of Elgin, was in the main based on that of Lincoln. But the Bishop was to be *Primus* and above all other dignitaries of the Cathedral.

For it was ordained that instead of the one priest who had previously officiated, there should be ten Canons with the Bishop as their head, five of them holding the dignities of Dean, Precentor, Chancellor, Treasurer, and Archdeacon, each of them during residence to minister there daily, as well as the Abbot of Scone, who was a Canon, but had a Vicar to perform his duties in his absence. The teinds (or tithes) of certain parishes were allocated to each member of the Chapter; and lands, residences, and prebends were assigned to them, provision also being made from the teinds of other parishes for the lighting and services of the Church. Bishop Gilbert built and completed the Cathedral, making, it is said, the glass for its windows at Sidera, from sand taken from near the howe of the first Jarl Sigurd, a worshipper of Odin.[6]

Bishop Gilbert had also translated the Psalms into Gaelic; and, having set his diocese of Caithness, comprising the modern counties of Sutherland and Caithness, in good working order, and having re-buried his predecessor Adam, with a stately funeral, at Dornoch in 1239, had made his will in 1242, and died in the episcopal palace at Scrabster, near Thurso, in 1245. It was probably during his episcopate that King Alexander II gave his open letter,[7] directed to the sheriffs, bailies, and other good men of Moray and Caithness, and enjoining them to protect the ship of the Abbot and Convent of Scone and their men and goods from injury, molestation or damage in their journeys to the north. Bishop Gilbert was buried at Dornoch, and was succeeded by Bishop William,[8] and he in his turn, in 1261, by Bishop Walter de Baltroddi, who doubtless suffered from King Hakon's fines levied in Caithness in 1263, and whose daughter the Chief of the Mackays is said to have married after that date.

In 1261 the Hebrides had been harried by William,

MacFerchar, Earl of Ross and uncle of Freskin de Moravia the younger, with great cruelty and barbarity, and King Hakon in 1263 began to collect and equip a fleet with a view to revenging the injury done to his subjects in the west.[9] In the preparation for this in the spring of 1263, we find Jon Langlifson, whose mother Langlif was Harold Maddadson's youngest daughter, and who was thus himself a nephew of Earl John, sent over with Henry Skot to Shetland to obtain pilots for King Hakon,[10] while Dougal of the Isles met them in Orkney, and was let into the secret of Hakon's intended expedition.

Meantime Earl Magnus II, being, according to our conjectures, a member of the Angus line, whose mother was an elder sister of Harald Ungi, and being also the husband of Earl John's daughter, had become entitled to the earldom of Orkney soon after Earl John's death in 1231, and probably since 1236 had held part of Caithness as Earl, by heirship, and by charter from the Scottish King. Magnus II, soon after the earldom of Sutherland had been taken away from him, had died in 1239. Gillebride had then succeeded to both the reduced Scottish earldom of Caithness and the whole of the Orkney jarldom as successor in the Angus line of Magnus II; and Gillebride had died in 1256 leaving a son Magnus III. Like his predecessors, Magnus III seems to have found himself in the awkward position of being bound to serve two masters who were rapidly approaching a state of war with each other. Freskin de Moravia, *dominus* de Duffus by 1248, who about that date had married the Lady Johanna, had with her obtained not only her lands in Strathnaver and Caithness, but also the bulk of the Erlend share of the earldom lands of Caithness, while Magnus held the rest of Caithness, and William, second Earl of Sutherland, then a mere boy, had succeeded to that earldom on his father's death in 1248.[11]

As already stated, Alexander II's attempt on the Sudreys had proved abortive through his death in 1249, and the further attacks on them in Alexander III's reign by William, son of Ferchar Mac-in-tagart, and Earl of Ross, had been made in 1261; and by 1262 or 1263, Freskin had died, leaving two daughters Mary and Christian, both minors and unmarried, to inherit his share of Caithness, as co-parceners, each entitled to one quarter of that county.

Early in 1263 Magnus III of Orkney and Caithness, was in Bergen with King Hakon. For the Saga says,[12] "with him from Bergen came Magnus, Jarl of Orkney, and the king gave him a good long-ship."

Sailing from Norway in the end of July 1263, King Hakon found a fair wind, and crossed in two days to Shetland, where he lay for a fortnight assembling his fleet in Bressay Sound off Lerwick. While he was here Jon Langlifson, son of Langlif, the youngest daughter of Earl Harold Maddadson, brought the disappointing news that King John of the Sudreys had gone over to the side of the Scottish king, but the news was disbelieved, and Hakon, at the time, had every reason to think that, while he was sure of the support of the Orkneymen and their earl, the western islanders would support him to a man. Quitting Shetland, therefore, he sailed to Orkney, and his fleet lay first at Ellidarvik or Ellwick in The String off the south of Shapinsay, a few miles from Kirkwall. While it was here, King Hakon conceived the idea of sending a squadron of his ships to raid the shores of the Moray Firth, and there is little doubt that this project was aimed at the lands of the families of De Moravia in Sutherland and Moray. The question, however, was submitted to a council of the freemen of the fleet, who proved to be unwilling that any of them should leave their king and decided that the fleet should not be divided, but that the original object of the expedition,

the reconquest of the Western Isles and West of Scotland, should be adhered to instead. What Earl Magnus' feelings on the subject were is not recorded, but it can hardly have been pleasing to him to find that his people in Caithness were to be subjected to a fine by his suzerain in Orkney, though, probably by his advice, the Caithness folk paid the fine exacted from them,[13] and had hostages taken from them, in consequence, by the Scottish king.

Hakon's fleet then sailed round the Mull of Deerness into the roadstead of Ragnvaldsvoe, in the north of South Ronaldsay, which is now known either as St. Margaret's Hope or possibly as Widewall Bay in Scapa Flow, and it was while it was there that the annular eclipse of the sun, ascertained by astronomical calculation[14] to have taken place on the 5th August 1263, was reported by the writer of the Saga to have been seen by him. While the fleet was here, it appeared that the Orkney contingent of ships which Hakon had commanded to join him, were not "boun" or ready for sea, and Jarl Magnus accordingly "stayed behind" with his people in Orkney under orders to follow the main fleet.

On St. Lawrence's day, the 10th of August 1263, Hakon weighed anchor without the jarl, or his men, and the fleet, the largest then ever seen in these waters, sailed from Ragnvaldsvoe into the Pentland Firth, and, rounding Cape Wrath on the same day, anchored in Asleifarvik, now corruptly called Aulsher-beg or Oldshore, on the west coast of the parish of Durness[15] in Sutherland. Thence the fleet ran across to the Lewis, whence it proceeded on a southerly course by Rona, into the Sound of Skye, and brought up at the Carline, now the Cailleach, Stone, in Kyleakin or the Kyle of Hakon. The Norse King was soon joined by King Magnus of Man, and Erling Ivar's son, and Andres Nicholas' son, and Halvard and Nicholas Tart,

the last having made no land since he left Norway till he sighted the Lewis. Dougal, king of the Sudreys also joined King Hakon, and the fleet shortly afterwards reached Kerrera, near Oban in the Sound of Mull. The events which followed are recounted, in considerable detail and with much exaggeration on both sides, by Scottish and Norse chroniclers, but it is impossible to reconcile their different versions of the story of the battle of Largs. Nor does such detail, save in the result, affect Sutherland or Caithness. Suffice it to say, then, that after much fruitless negotiation between the two kings, purposely prolonged by the Scottish monarch, a severe and protracted October storm drove many of the Norse ships ashore near Largs, where the Scots attacked their crews; and five days later King Hakon withdrew, and sailed with the remnants of his starving and shattered fleet northwards by the Sound of Mull and Rum and Loch Snizort in Skye, and thence round Cape Wrath, to the Goa-fiord or Hoanfiord, which we know as Loch Erriboll, reaching it on Sunday, October 28th, 1263, in a profound calm.

On their way south, Erling Ivar's son, Andrew Nicolas' son, and Halvard the Red had[16] "sailed into Scotland under Dyrnes, from which they went up country, and destroyed a castle and more than twenty hamlets." But on the return voyage the children of Heth were waiting for the invaders, and on the day[17] "of St. Simon and St. Jude, when Mass had been sung, some Scottish men, whom the Northmen had taken, came. King Hakon gave them peace and sent them up into the country; and they promised to come down with cattle to[18] him; but one of them stayed behind as a hostage. It happened that day that eleven men of the ship of Andrew Kuzi landed in a boat to fetch water. A little after, it was heard that they called out. Then men rowed to them from the ships, and there two of

them were taken up, swimming much wounded, but nine were found on land all slain. The Scots had come down on them, but they all ran to the boat, and it was high and dry, and they were all weaponless, and there was no defence. But as soon as the Scots saw the boats were rowing up, they ran to the woods, but the Northmen took the bodies with them.

"On Monday King Hakon sailed out of the Goa-fiord and let the Scottish man be put on shore, and gave him peace."[19]

Such is the story, so far as Sutherland and Caithness are concerned, of Hakon's expedition as told in his Saga, which adds that after losing one ship in the Pentland Firth, while another was all but sunk in the Swelchie near Stroma, he sheltered for the night in the Sound north of Osmundwall, and finally landed again near Ragnvaldsvoe and went to Kirkwall. Retaining twenty of his ships, he let such of the rest of them as had not already gone home sail for Norway.

Deserted by his Jarl, the aged king found a home in the Palace of the faithful bishop, Henry of Orkney, who, alone of all Orkney men, had followed the fortunes of the fleet. Then King Hakon's health gradually failed, and after laying up his ships in Scapa Flow, and seeing to the welfare of his men, he lay down to die of a broken heart, listening as he sank to Masses indeed, but afterwards with greater joy to the Sagas of the Norse kings. "Near midnight" on the 15th of December "Sverri's Saga was read through. But just as midnight was past Almighty God called King Hakon from this world's life."

His body lay in state, first in the Palace and then in the Cathedral of St. Magnus, where after a Solemn Mass it was temporarily buried in the Choir, and it was removed in his flag-ship to Christ Church in Bergen three months afterwards.[20]

The consequence of King Hakon's failure was the immediate conquest of the Isle of Man and of the Hebrides by Alexander III.

Sutherland and Caithness were saved for Scotland, it would seem, only by the vote of King Hakon's freemen before sailing for Largs, while the defeat of his fleet there led directly to the cession by King Magnus, his successor, under the treaty of Perth in 1266, of all the Western Highlands and Islands, for a payment of 4000 marks down and of 100 marks a year, and the treaty also secured their permanent political union with Scotland.

Orkney and Shetland, however, remained part of Norway for two hundred years more, and have since 1468 been held by Scotland and afterwards by the United Kingdom only, under a wadset or mortgage securing 58,000 crowns, the unpaid balance of the dower of Margaret, wife of James III of Scotland and daughter of King Christian of Norway. The right to redeem them was frequently though fruitlessly claimed by Norway and Denmark in succession until the reign of Charles II and even later; and possibly this right remains, to the legal mind, open until the present day.

On the 20th February 1471 the Earldom of Orkney and Lordship of Shetland were, by an Act of the Scottish Parliament, finally annexed to the Scottish Crown. But Norse law and usages and the Norse language long lived on in Orkney and longer still in Shetland.

CHAPTER XI.

Results and Conclusion.

RESTLESS energy, and a religion that taught its followers that death in combat alone conferred on the happy warrior a title to immortal glory and a perpetual right to the unbroken joy of battle daily renewed in Valhalla drove the Viking to war.

Headed off on the south by the vast army and feudal system of Charlemagne, this energy in war could be exercised, and its religious aims achieved, solely on the sea, which skill in shipbuilding and in navigation as well had converted from a barrier into a highway to the west.

As already stated, over-population in the sterile lands of Norway, and famine probably increased by immigration from the east and south, drove its people "at times in piracy and at times in commerce"[1] forth from the western fjords and The Vik across the North Sea to the opposite coasts of Scotland, and so to its western lochs and to Ireland, where they found cattle to slaughter on the nesses, stores of grain, and other booty.

War, in fact, paid; and, after generations of harrying, many of the raiders concluded that the western lands in Britain were fairer and more fertile than their native shores, and desired to settle in the west.

Finally the feudalism of Charlemagne was imitated by Harald Harfagr in Norway; and, against that, Norse independence revolted and rebelled. The true Viking would be no other man's man, and to secure Harald's feudal power he was driven forth from Norway by an organised navy manned by those of his countrymen who had agreed to accept King Harald as

feudal overlord and to pay him tribute. Defeated, as we have seen, at the naval battle of Hafrsfjord in 872, the rebel remnant of the Vikings found their return to Norway barred; and those of them who became pirates in Orkney and Shetland and raided Norway as such, were, in their turn, assailed in these islands by King Harald, and destroyed. Others of them colonised Ireland, the Hebrides, and the Faroes; and from all these islands as well as from Scotland and Norway issued the swarms that settled in Iceland, and afterwards gave us a code of law, our system of trial by jury, much of our legal procedure, and, when crossed with Gaelic blood, produced the glorious literature of the Sagas. But in their exodus, whencesoever they started, what all alike sought was liberty; which, for them, meant the right to do exactly as they pleased to others, and freedom from paying "scat" or dues to a superior lord.

When the Vikings came, they came as worshippers of Thor and Odin and the old Teutonic gods. To them the Christianity of the Pict was "a weak effeminate creed." They, therefore, slew its followers, plundered its shrines, and drove its clergy south from Orkney, from north-east Caithness and the coasts of Sutherland, and from the seaboard of Ross and Moray, and for a century and a half Christianity was uprooted and almost wholly expelled. No jarl before Sigurd Hlodverson was a Christian, and he was baptized by force, and died fighting for Odin at Clontarf. With all "the fury of an expiring faith, its last lambent flickering flame, against a creed that seemed to contradict every article of the old belief,"[2] wherever they came, they destroyed the cult and culture of Columba, which it had taken several centuries to establish in the north and west of Alban.

When the conquerors settled in the land, they enslaved such of its inhabitants as remained among them

for a time, and gave to the best coastal lands and lower valley farms the Norse names which they still bear, but they left the heads of the river valleys and the hills mainly to the Moddan family and their Pictish followers and clansmen, who held them tenaciously and extended their holdings, as the Norse became less hostile through inter-marriage, or less strong. Once settled, the Norse exerted such steady pressure on their southern Pictish neighbours in Ross and Moray, and kept them so fully occupied in war or by the constant menace of it from the north, that successive Scottish kings were in their turn left comparatively free, on their own northern frontier, from Pictish attacks, and were therefore enabled to consolidate their own kingdom in the south of Scotland and to beat the English back to the line of the Tweed. Afterwards they were able to turn their attention to the consolidation of the mainland north of the Grampians,[3] by first overcoming the Picts in Moray, and then the Norse in Cat, and establishing the feudal system and the Catholic Church.

Worshipping, as the Vikings did, amongst others, the "fair white god Baldr of golden beauty," and accounting as base-born "hellskins" those of darker hue, it seems strange that they should so soon have taken to themselves Celtic wives. But we have seen that they came by sea and that no Norse women were allowed in Viking ships,[4] and thus it was Celtic mothers alone that perpetuated the race. They also taught the children the Gaelic tongue, and, on the mainland in all Sutherland and Caithness save the north-eastern portions of the latter, Gaelic soon became again the only spoken language.

But the language was Gaelic with a difference. As already stated, it contained, especially in connection with the sea, and ships, gear, and tackle, many old Norse words,[5] and, in the Gaelic of Sutherland, as in

the English of Orkney and Shetland and of Caithness and Moray the Old Norse roots remain. Nor need we believe that every Magnus or Sweyn, or Ragnvald was a pure Norseman. For their Celtic mothers often preferred to give their children Old Norse names.

The Norse place-names,[6] too, have been faithfully preserved by Gaelic inhabitants, and are still with us; and despite their varying spellings in documents of title and maps of different dates, these names generally yield up the secret of their original meanings when they can be traced back to the earliest charters, especially if they can be compared with the corresponding Gaelic versions of them in use at the present time. For Gaelic was ever a trustworthy vehicle of the original Norse. The Norse place-names too are found in the same spots on which the remains of brochs exist, that is, on the best land at the lowest levels which the Picts had already cultivated, and which the Norse invaders seized. Such names are also found on the eastern coast as far south as Dingwall, both in Ross and Cromarty. They were never imposed on the Moray seaboard, which was not permanently held by the Norse. Freskyn and his descendants saw to that. His fortress at Duffus checked all raids from their fort at Burghead.

Of outward and visible monuments, save here and there a howe or grave-mound, the Vikings, unlike their Pictish predecessors, have left us little or nothing on the mainland. In Iceland the skali[7] or farm-house of the Norseman was built with some stone and turf below, and a superstructure of wood which has long ago perished,[8] and but slight traces of foundations are visible on the surface there. From the frequent burnings in the Saga we know that such houses were of highly inflammable materials which would soon perish. The place-name, "Skaill," remains both in Sutherland and Caithness. But no skilled antiquary, has as yet

laid bare by excavation the secrets of likely sites of Norse dwellings in these counties, as Mr. A. W. Johnston has done at The Jarls' Bu at Orphir, in Orkney.[9] And yet, if Drumrabyn or Dunrabyn, Rafn's Ridge or Broch, be the true derivation of Dunrobin (and the name is found at a time when as yet no Robin had inhabited the place) possibly the Norse Lawman Rafn had a house of consequence there like his Pictish predecessors, if, indeed, he did not inhabit the Pictish broch whose foundations were found on or under the present castle's site. There was also a castle of note on the northern shore of the modern port of Helmsdale, which is probably the castle of Sorlinc of Mr. Collingwood's *William the Wanderer*, also called Surclin, both words being a corrupt form, it is suggested, of Scir-Illigh, the old name of the parish of Kildonan.

In Caithness especially, we have many a Norse castle site, such as Earl Harold's borg at Thurso, and Lambaborg, the modern Freswick, which we know to have been inhabited by noted Norsemen, while, in Sutherland, Borve near Farr, and Seanachaistel on the Farrid Head near Durness seem to be ideal Viking sites. *Breithivellir*[10] or Brawl Castle was a known residence of Earl John and later earls, and search for foundations might well be made on the coasts of Caithness, and round Tongue and at the mouths of the Naver and of the Borgie and other rivers, and at or near Unes or Little Ferry, possibly at Skelbo, (Skail-bo) and in Kildonan at Helmsdale. That the Norsemen used many of the Pictish brochs as dwelling-places is more than probable, and is proved by the Sagas in certain instances.[11] At the same time few articles used distinctively by Norsemen have been found in them.

No stately church like the Cathedral of St. Magnus at Kirkwall, itself the finest specimen of Norman archi-

tecture in Scotland, survives on the mainland from Viking days; nor, so far as is known, was any such edifice built there by any Norseman; but the original High Church of Halkirk, and also the old church of St. Bar at Dornoch, which preceded and is believed to have occupied a site immediately to the east of St. Gilbert's later Cathedral, may have been used by the later jarls, and a few miles south of Halkirk are the foundations of the Spittal of St. Magnus,[12] part of which, and of St. Peter's Church at Thurso may be Norse.

Though the towns of Wick and Thurso[13] are frequently mentioned in the *Orkneyinga Saga*, and earls and jarls stayed at both, no Sutherland village (if any save Dornoch existed) is named in it; but the site of modern Golspie (Gol's-by) appears in ancient charters as Platagall, "the Flat of the Stranger."[14]

If in his outward and visible man the Norseman has all but faded away in Sutherland, he remains more in evidence in Caithness, in spite of Celtic mothers and successive waves of Scottish immigration. The high Norse skull, the tall frame with broad shoulders and narrow hips,[15] the fair hair and skin, the sea-blue eyes and sound teeth are still to be seen; and from time to time, amid greatly preponderating Celtic types, we are startled by coming across some perfect living specimen of the pure Viking type almost always on or near the coast.

But, if the outward type is rarely seen, its inward qualities remain. What were those qualities?

The late Professor York Powell summed up the character of the Viking emigrant folk in his introduction to Mr. Collingwood's *Scandinavian Britain,* as follows:—

"A sturdy, thrifty, hardworking, law-loving people, fond of good cheer and strong drink, of shrewd, blunt speech, and a stubborn reticence, when speech would be useless or foolish; a people clean-living, faithful

to friend and kinsman, truthful, hospitable, liking to make a fair show, but not vain or boastful; a people with perhaps little play of fancy or great range of thought, but cool-thinking, resolute, determined, able to realise the plainer facts of life clearly, and even deeply."[16]

Blend these qualities with those of the Gael, and what infinite possibilities appear; for the characteristics of the two races supplement each other. Fuse them together in proper proportions for a few generations, the improvident and dreamy with the thrifty and energetic, the voluble with the reticent, the romantic and humorous with the truthful and blunt of speech, the fiery and impulsive with the sober of thought, and how greatly is the type improved in the new race evolved from the union of both.

Turning from eugenics to more practical matters, it was the brain and the manual skill of the Viking that invented and perfected our modern sailing ship. Stripped of its barbaric excrescences at stem and stern, and of its rows of shields and ornaments, the lines of the Viking ship of Gokstad[17] found there buried but entire, are the lines of our herring boats of fifty years ago. Sharp and partly decked at stem and stern only, like those boats, the Viking ship could live, head to the waves, even in the roughest sea. It was, too, a living thing, a new type of vessel handy to row or sail, and far in advance not only of the early British ship and Pictish coracle[18] but also of the Roman galley with lines like those of a canal barge, and also far in advance of the Saxon ship of war or merchandise. The only points of difference between the older type of herring boat and the Viking ship were the stepping of the mast further forward and the use of the fixed rudder in the modern vessel.

Not only did the Viking brain invent our modern ship, but it was the Viking spirit that impelled us as

a nation to use the ocean as a highway. The Norseman had discovered America and West Africa many centuries before Columbus or Vasco di Gama. The Norse colonised[19] Greenland, Labrador, and possibly even Massachusetts, and it was on a voyage to Iceland that Jean Cabot heard of America, on whose continent he was the first modern sailor to land, and it is said that it was through him that Columbus, after he had discovered the West Indian Islands, first heard that North America had been proved to be a continent by Cabot's coasting voyage along its shore from Maine to Florida. The Vikings, too, taught us the discipline without which no ship can live through an ocean storm. Their spirit, too, when piracy had died out, led us into trade; for, as we have seen, the Viking was no mere pirate, but ever a trader as well.[20] Their sea-fights live in story, though their traders found no skald or bard, and it is thus that we hear less of their trading or of their civic or domestic life.

This spirit of theirs, like their blood, is ever with us still. It has gone into our race, and it keeps coming out in unexpected quarters. Hidden under Celtic colouring and Highland dress, the Viking warrior is there in spirit, glorying in battle, though often apparently no more of a real "Barelegs" by race than was kilted King Magnus. The Berserk fury and stubborn tenacity of our Highland regiments derive their origin from the Viking as well as from the Celtic strain.[21] Our sailors too, had they been Celts, would not readily have left smooth water. It was Viking not Celtic blood that drove them to the open sea. It was Viking skill that built the ships, managed them in storms through Viking discipline, navigated them across the ocean, and gave us the naval and commercial supremacy which founded and preserves our empire overseas.

They came to us not only from Norway direct, west-

wards across the sea. They came to us also from Normandy northwards through England. The first swarms of Norsemen had brought with them rapine and disorder. Later on the Norman came to the north to curb such evils, and to organise, administer, and rule the land. The Normans succeeded in this as signally as the Saxon barons, introduced under Saint Margaret, Malcolm Canmore's Saxon queen, had failed. David I was by education a Norman knight. At heart he was an ecclesiastic. As Scotland's king, he was, in theory, owner of Scotland's soil from the Tweed to the Pentland Firth, and he disposed of it to his feudal barons, mainly Norman, and to religious foundations on Norman lines, as the Norman kings of England had done there before him, in order to organise and consolidate his kingdom; and his successors did the same.

Thus, as Professor Hume Brown puts it—[22]

"Directly and indirectly the Norman conquest influenced Scotland only less profoundly than England itself. In the case of Scotland it was less immediate and obtrusive, but in its totality it is a fact of the first importance in the national history."

It affected Scotland in the latter part of the times which we have considered right up to John o' Groats. Moray was divided among Normans and "trustworthy natives," and the scattering of its Pictish population gave the Mackays to Sutherland, and, largely blended with the Norse, they still occupy the greater part of it. The Freskyns, as "trustworthy natives," were introduced into Sutherland, after many a fight for it, by charter doubtless in Norman form; and Normans won Caithness in the persons of the earlier Cheynes and Oliphants and St. Clairs, who, by inter-marriage with the descendants in the female line of a branch of the Freskyns, possessed themselves not only of the lands of the family of Moddan but of most of the main-

land territories of the Erlend line, through Johanna of Strathnaver's daughters and great-grand-daughters.

At a time and in an age when liberty meant licence, the order which the Norman introduced into the north made more truly for real liberty and the supremacy of law, than the individual independence which the Norseman had left his native land to preserve; and though both feudalism and the blind obedience to authority then enjoined by the Catholic Church are no longer approved or required, and have long been rightly discarded, yet they served their purpose in their day, by evolving from the wild blend of Gaels and Norsemen, which held the land, a civilised people free from many of the worse, and endowed with many of the better qualities of either race.

NOTES

The following Abbreviations are used:

H.B. for Hume Brown's History of Scotland.

O.S. for Orkneyinga Saga.

O.P. for Origines Parochiales.

F.B. for Flatey Book.

O. and S. for Tudor's Orkney and Shetland.

B.N. Burnt Njal.

And see List of Authorities (ante) for full titles of Books referred to. Save where otherwise stated the references to the Sagas are to the chapters not pages.

NOTES

CHAPTER I.

For "they" on page 1, line 13, read "Man."

[1] *Rhind Lectures* 1883 and 1886, and see *The County of Caithness*, pp. 273-307.

[2] *Royal Commission 2nd Report, 1911*, and *3rd Report, 1911;* see also Laing and Huxley's *Prehistoric Remains of Caithness*, 1866.

[3] *Survivals in Belief among the Celts*, 1911.

[4] *Tacitus, Agricola* 22-28.

[5] Coille-duine, or Kelyddon-ii.

[6] *H.B.*, vol. i, p. 5.

[7] Anderson, *Scotland in Pagan Times*, p. 222. Two plates of brass found in Craig Carrill Broch. Copper 84%, tin 16%.

[8] See Laing and Huxley's *Prehistoric Remains in Caithness.* Laing ascribes a much greater antiquity to the *Burgs*, pp. 60-61. See Skene, *Chron. Picts and Scots*, pp. 157-160 as to a legend of their Scythian origin, and p. xcvi and p. 58.

[9] See Reeves' Life, and see *H.B.*, vol. i, pp. 12-15; also Dr. Joseph Anderson's *Scotland in Early Christian Times*, 1879, p. 139.

[10] *H.B.*, vol. i, pp. 10-17.

CHAPTER II.

[1] See MacBain's note at p. 157 of Skene's *Highlanders of Scotland.*

[2] For the boundaries of Sutherland, see Sir R. Gordon's *Genealogie of the Earles*, pp. 1 and 2, and map hereto.

[3] In Ness the subjacent stone is too near the surface to have ever admitted of the growth of large trees.

[4] Scrope, *Days of Deerstalking*, 3rd edit., pp. 374-377.

[5] Curle's *Inventories of Monuments, &c.*, 1911 (Caithness) 1911 (Sutherland), and see his maps. Why are there no brochs in Moray, Aberdeenshire and the Mearns? Did the Picts come there from the west and south-west coast after the age of broch-building, driven before the Scots, first eastward, then north into the Grampians?

[6] For example in Loch Naver.

[7] Anderson's *Scotland in Pagan Times*, pp. 174-259.

[8] See Munro's *Prehistoric Scotland*, p. 356.

[9] Often spelt Mormaor. See Ritson, *Annals of the Caledonians*, pp. 62-3.

[10] See *Scotland in Early Christian Times* (Anderson), pp. 141-2.

[11] Despite *The Pictish Nation*, pp. 69 and 401. But see Skene, *Chron. Picts and Scots (Annals of Tighernac)* p. 75, where 150 Pictish ships are said to have been wrecked in 729 A.D.

[12] See Du Chaillu, *The Viking Age*, vol. ii. pp. 65-101.

[13] Worsaae, *The Prehistory of the North*, pp. 184-7. *Scandinavian Britain*, pp. 34-42.

[14] Viking Society's *Orkney and Shetland Folk*, 1914.

[15] Robertson, *Early Kings*, vol. i, p. 105, and ii, p. 469.

[16] Dun-bretan, or the fort of the Britons; Alcluyd, the rock of the Clyde.

CHAPTER III.

[1] *H.B.*, vol. i, p. 22.

[2] *Chron. Hunt.* Skene, *Chron. Picts and Scots*, p. 209.

[3] See also Rhys, *Celtic Britain*, p. 198.

[4] *Flatey Book*, vol. i, ch. 218.

[5] *H.B.*, vol. i, p. 27.

[6] Haroldswick in Unst is said to have been called after King Harald. Tudor, *O. and S.*, p. 570.

[7] *Ekkjals-bakki* is clearly Oykel's Bank, the high bank or Ὄχθη ὑψηλή of Ptolemy. "Ochill" is the same word. As for Bakke, see Coldbackie and Hysbackie near Tongue.

[8] *O.S.*, ch. 4, 5.

[9] The late Dr. Joass had identified the site of the burial mound. It is said to be Croc Skardie on the S.E. bank of the River Evelix, near Sidera. Skardi is a Norse word, and probably means a gap, or a twin-topped hillock, which it is.

[10] *H.B.*, i, p. 28.

[11] See Skene's *Chronicles of the Picts and Scots*, pp. 8, 9 and lxxv, and *Celtic Scotland*, vol. i, 339, note.

[12] An able paper on this subject by the late Mr. R. L. Bremner was read to the Viking Society, and it is hoped may be printed. But Brunanburgh is usually located south of the

Humber, or in the Wirral in Cheshire. See *Scandinavian Britain*, pp. 131-4 where it is located on the west coast, and on this coast it probably was.

[13] See *Genealogie of the Earles*, pp. 1 and 2, as to the "boundaries of Southerland."

[14] *F.B.*, vol. 1, pp. 221-9. See Trans. of *O.S.*, Hjaltalin and Goudie, App. pp. 203-212. See also *St. Olaf's Saga*, c. cix. See also generally Vigfusson's *Prolegomena to Sturlunga Saga*, Introduction, p. xcii, vol. i.

[15] The "scurvy Kalf" and "tree-bearded Thorir."

[16] *O.S.*, ch. 6, 7.

[17] *O.S.*, ch. 8, on Rinar's Hill. Tudor, *O. and S.*, p. 364.

[18] *O.S.*, ch. 80. But see *Heimskringla*, Saga Library, i, 96 and *St. Olaf's Saga*, ch. cv and cvii.

[19] See *Blackwood's Magazine*, April 1920; an able and interesting article intituled *A Branch of the Family*, by J. Storer Clouston.

[20] *F.B.*, ch. 183, 184.

[21] Tudor, *Orkney and Shetland*, p. 336.

[22] *Torf. Orc.*, p. 25, "facile de alieno largientis."

[23] *F.B.*, 115. *O.P.*, 783. *F.B.*, 186. *O.S.*, 10, 11. *O.S.*, 8. Skene, *Celtic Scotland*, i, 374-9.

[24] Dalrymple, *Collections*, p. 99.

[25] Viking Society, *Orkney and Shetland Folk*, 1914, p. 5.

[26] *O.P.*, (Canisbay), vol. ii, 794, 816.

[27] *O.S.*, 11.

[28] *B.N.*, c. 85.

[29] *O.S.*, 12. *F.B.*, 187. The *F.B.* makes the scene of this battle Skitten Moor.

[30] *F.B.*, 187.

[31] *Thorgisl*, 1, 4. (*Orig. Islandicae*, ii, p. 635.) In *The Old Statistical Account* (Tongue) there is a tradition of such a fight on Eilean nan Gall at the entrance to the Bay of Tongue, then in Caithness.

[32] p. 23.

[33] See Sir Wm. Fraser's *Book of Sutherland*, and Pedigree in Appendix. There is a Craig Amlaiph (Olaf) above Torboll and Cambusmore (both in Cat) near the Mound in Sudrland. There were no Thanes of the De Moravia line in Sutherland.

[34] See *The Pictish Nation and Church*, pp. 129-32, and 341.

[35] See *Darratha-liod*, published by the Viking Club, 1910.

[36] *Burnt Njal*, c. 151.

[37] Iceland accepted Christianity by a vote of its Thing in 1000 A.D. "Blood" often fell in Iceland; after a volcanic eruption, rain was tinged with red.

[38] Tudor, *O. and S.*, p. 20.

[39] Rods used for dividing and pressing downwards.

[40] See *Scandinavian Britain* (Collingwood), p. 256-7, where Mr. Gilbert Goudie's *Antiquities of Shetland* is referred to.

CHAPTER IV.

[1] *Reg. Morav.*, p. xxiv, and *Charter* No. 264, p. 342.

[2] Dunbar, *Scottish Kings*, pp. 4-7.

[3] Some authorities hold that Macbeth was the son of a sister of Malcolm. His property was probably in Ross and Cromarty. See also Rhys' *Celtic Britain*, p. 196.

[4] Skuli was first Earl of Caithness, which then included Sutherland, see *ante*, but he was Norse.

[5] *O.S.*, 16.

[6] Trithing—the same word as Riding in Yorkshire, one-third. See *Scot. Hist. Review*, Oct. 1918. J. Storer Clouston. Ulfreksfirth is Larne Bay.

[7] *O.S.*, 17, 18.

[8] *O.S.*, 20, 21, and *St. Olaf's Saga*, cix.

[9] *O.S.*, 22.

[10] *O.S.*, 22. See *Corpus Poeticum Boreale*, vol. ii, pp. 180-3, 195 and notes.

[11] *O.S.*, 22. Dunbar, *Scottish Kings*, p. 15 and note 22. The Standing Stane was removed to Altyre about 1820. See Romilly Allen, *Early Christian Monuments of Scotland*, p. 136, "removed from the College field at the village of Roseisle."

[12] *O.S.*, 22.

[13] *O.S.*, 22, 23.

[14] Robertson, *Early Kings*, vol. i, p. 116 and note, 116 and 117.

[15] *O.S.*, 23, 24, 25, 26. *St. Olaf's Saga*, c. cviii, ccxlv.

[16] *O.S.*, 27. These raids are unknown to English historians.

[17] *O.S.*, 30.

[18] *O.S.*, 31.

[19] *O.S.*, 33, 34. See Tudor's *Orkney and Shetland*, p. 356. "Roland's Geo" is at the N. end of Papa Stronsay.

[20] "Christ Church" in the Sagas denotes a Cathedral Church.

[21] *O.S.*, 37. See *Chronicles of the Picts and Scots* (Skene), p. 78.

[22] *O.S.*, 13-39.

[23] Pope, *Torf.* (Trans.), p. 62 note. See *Genealogie of the Earles*, p. 135.

CHAPTER V.

[1] *Short Magnus Saga*, 1. *O.S.*, 37.

[2] *O.S.*, 38.

[3] See *Orkney and Shetland Folk* (Viking Society, 1914), A. W. Johnston's note, p. 35. See Dunbar's *Scottish Kings*, p. 7.

[4] See *Dalrymple's Collections* (1705), p. 153 for the date of Malcolm's marriage with St. Margaret, p. 157, where he puts the marriage in 1070, after three years' courtship. See also pp. 163 and 164. Sir Archibald Dunbar puts Ingibjorg's marriage in 1059, as stated above, and if Thorfinn was an Earl from his birth in 1008, he would have been 50 years earl in 1058. As a king's grandson he might well have been an earl from his birth.

[5] Rolls Edition *O.S.*, p. 45, c. 30. She must have died before 1068 when Malcolm Canmore married Margaret, daughter of Edward Atheling, sister of Edgar Atheling. Dunbar, *Scottish Kings*, p. 27. Was Ingibjorg's marriage within the prohibited degrees, and so dissolved? See also Henderson, *Norse Influence, &c.*, p. 25-26, which is not correct. Earl Orm married Sigrid, d. of Finn Arneson not Ingibjorg. See Table ix, *Saga Library*, vol. 6, Earls of Ladir, and Table xi.

[6] The *O.S.* mentions only Duncan. The other sons seem doubtful. But see Dunbar, *Scottish Kings*, p. 31 and notes, and p. 38.

[7] *O.S.*, 40.

[8] As to the Bishop, see *Orkney and Shetland Records*, pp. 3-8; and as to their quarrels, see *O.S.*, 40.; *Magnus Saga the Longer*, 6 and 8. For St. Magnus, see Pinkerton's *Lives of the Scottish Saints*, revised by W. M. Metcalfe (Paisley, Alexander Gardner, 1889), p. xlii, and pp. 213-266.

[9] So called because he wore the kilt, in its original form, not the philabeg.

[10] *Magnus Saga*, 10, 11 and 20. The story of this time is confused and difficult. *Torfaeus*, trans., p. 85 and *Torfaeus Orcades*, c. xviii. From c. 20 of *Magnus Saga the Longer* it is clear that Hakon in 1112 took Paul's share of Caithness also and Magnus took Erlend's share, and that they divided that earldom and lands.

[11] *O.S.*, 45.

[12] *Magnus Saga the Longer*, c. 10 to 28. *O.S.*, c. 46 to 55. There is little doubt but that Magnus was the Scottish candidate for Caithness, and Hakon the Norse favourite, and Hakon had to conquer Cat.

[13] Who was Dufnjal? What does "*firnari en broethrungr*" mean? Who was Duncan the Earl? Possibly the Norse expression means half first cousin, and if Dufnjal was Earl Duncan's son, the relationship was through Malcolm III, and Dufnjal was a son of King Duncan II, called "Duncan the Earl," of whom, however, the *O.S.* and *Longer Magnus Saga* say nothing in this connection. But see Henderson, *Norse Influence, &c.*, p. 26 contra.

[14] Paplay, Thora's home, was probably in Firth Parish in mainland, near Finstown. *Short Magnus Saga*, c. 18, not "twenty," but twenty-one years after his death. See *O.S.*, c. 60. But vide Tudor *O. and S.*, pp. 251-2 and 348. See also Anderson's Introduction, p. xc, to Hjaltalin and Goudie's *O.S. contra.*

[15] *Viking Club Miscellany*, vol. i, pp. 43-65 (J. Stefansson), but the authorship is disputed.

[16] *O.S.*, 47.

[17] *O.S.*, 48. Both Hakon and Magnus were about five-sixths Norse.

[18] *O.S.*, c. 55; *Magnus Saga*, 30.

[19] *O.S.*, 56.

[20] See *Reg. Dunfermelyn*, No. 1 and 23 (p. 14); Lawrie, *Scot. Charters*, pp. 100, 179; Viking Club, *Caithness and Sutherland Records*, p. 18, the note to which seems correct. "The Earl" was Ragnvald, who ruled as Harold's guardian at this time, in Caithness also. Durnach is now Dornoch.

[21] *Reg. Dunfermelyn*, No. 24 (p. 14). Supposed to be the Huchterhinche of St. Gilbert's Charter to the Cathedral of Durnach. *Sutherland Book*, iii, p. 4.

[22] Dunbar, *Scot. Kings*, pp. 51, 60, 61, 63. The name is spelt "Fretheskin" also.

[23] Possibly 1120.

[24] See *History and Antiq. of the Parish of Uphall* by the Rev. J. Primrose (1898).

[25] *Family of Kilravoch*, p. 61. Robertson, *Early Kings*, ii, 497, note.

[26] See *Familie of Innes* (Spalding Club), pp. 2. 51, 52.

[27] *Sutherland Book*, vol. 1, p. 7, and see map of Cat.

[28] See Pedigree in Appendix. *Reg. Morav.*, c. 99, p. 114. Freskyn I was his *attavus*, or great-great-grandfather.

[29] *Reg. Morav.* p. 139, ch. 126.

CHAPTER VI.

[1] *O.S.*, 57, 58.

[2] *O.S.*, 56, 57.

[3] *O.S.*, 58.

[4] *O.S.*, 58.

[5] Pope, *Torfaeus* (trans.), note p. 133.

[6] Can she have inhabited the Broch at Feranach, which had six chambers in the thickness of the wall, (Curle's *Inventory*, No. 314), or is the site of her homestead (probably of wood) now undiscoverable? She was burnt in her homestead, not in her residence. The Saga account points to a site on the west bank of the river.

[7] *O.S.*, 58.

[8] *O.S.*, 59.

[9] *O.S.*, 61, 62, 63, 65, c.f. the modern phrase "a young hopeful."

[10] *O.S.*, 66.

[11] *O.S.*, 68.

[12] *O.S.*, 69, 70, 71, 72, 73-80.

[13] See Tudor, *Orkney and Shetland*, pp. 35 and 375.

[14] See note to Hjaltalin and Goudie *O.S.*, p. 107, where Atjokl's-bakki is suggested as an emendation, and also p. 115.

[15] Maiming made a Northman impossible.

[16] *O.S.*, 81.

[17] *O.S.*, 81.

[18] *O.S.*, 82.

[19] Guides would be easily got from Elgin. For the MacHeths, constantly fled to the wilds of Cat for refuge, before, in 1210 or later, they settled there, getting land in Durness after 1263.

[20] i.e. The Minch. It is said that he was the ancestor of the Macaulays of the Lewis, but Macaulay means son of Olaf, not of Olvir.

[21] *O.S.*, 88. Earl Waltheof must have been a neighbour of Freskyn in Moray.

[22] *O.S.*, 86.

[23] *O.S.*, 89. Ragnvald's verses are collected in *Corpus Poet. Boreale*, vol. ii, pp. 276-7. See Tudor, *O. and S.* p., 471.

[24] Whence the English expression "bound" for a destination by sea, i.e. "equipped," which is also a Norse word which has nothing to do with the Latin "equus" a horse.

[25] *O.S.*, 91. Bilbao = the sea-borg on the River Nervion, not Narbonne, see Rolls Ed., p. 163, note, and *Introduction*, p. lix.

[26] *O.S.*, 89-99.

[27] *O.S.*, 99 and 100.

[28] He was grandson of Hacon Paulson, a grandson of Thorfinn, and he was also a grandson of Helga, Moddan's daughter.

[29] *O.S.*, 100.

[30] See Tudor, *O. and S.*, p. 344.

[31] *O.S.*, 101. Who this Erlend the Young was is unknown, but he can hardly have been Jarl Erlend Haraldson, Margret's nephew. Dasent, Rolls Edit., trans., p. xi. Tudor, *O. and S.*, p. 445.

[32] *O.S.*, 102. Ingigerd would thus be born not later than 1136. She is possibly the "Ingigerthr, of women the most beautiful" in the Runes of Maeshowe.

[33] *O.S.*, 102, not "from Beruvik," but "from the bridal" (brud-kaupi) probably.

[34] This may be another headland. Brimsness is suggested. *O.P.*, ii, 801, contra.

[35] *O.S.*, 103, 104.

[36] *O.S.*, 105. See as to Ellar-holm (Helliar-holm) Tudor, *O. and S.*, 283.

[37] *O.S.*, 110, 111.

[38] *O.S.*, 111.

[39] Curle, *Early Mon. Suthd.*, p. 108 No. 316; and note that the horns of the elk or reindeer have been found in Sutherland. See *Proceedings of Scot. Antiq.*, viii, p. 186; and ix, p. 324.

[40] Thorsdale is the valley of the Thurso River. Calfdale is the Calder Valley.

[41] Force; possibly Forsie, or some waterfall said to be near

Achavarn on Loch Calder at the S.E. end of it. Halvard is in the *Flatey Book* called Hoskúld. *O.P.*, ii, 761, at a ruin of a castle, Tulloch-hoogie.

[42] *O.S.*, 112, 113. "Ergin" is the plural of airidh, airidhean or "sheilings."

[43] *Torfaeus.* Lib. 1, c. 36, *sub. fin.*, with Papal authority *(sed quaere).*

[44] Ingibiorg or Elin possibly married Gilchrist, Earl of Angus, as his second wife. But as to this the Sagas are silent.

[45] *O.S.*, 113. See *O.S.*, Dasent trans., p. 225. *Hakon Saga*, 169, Rolls edition.

CHAPTER VII.

[1] *O.S.*, 114. There is a MacWilliam Earl of Caithness on record in 1129. *Scots Peerage* (Paul).

[2] *O.S.*, 81. *O.S.*, Dasent trans., p. 225.

[3] *O.S.*, 115-118.

[4] *Torf. Orc.*, p. 153. He declined to come and fetch her.

[5] *O.S. Addenda*, p. 225. Rolls edition, trans.

[6] *Sverri Saga*, 90-93.

[7] *Scottish Peerage*, vol. viii, p. 318 sqq.

[8] Quoted by Nisbet, *Heraldry*, App. p. 183, and *Dalrymple's Collections*, 1705, pp. 66-7 "quas terras pater suus Friskin tenuit tempore regis David." Felix, Bishop of Moray, who is a witness to it, was appointed in 1162 and died not later than 1171. As to David's visit to Duffus, see *Chron. Mailros*, 74.

[9] Shaw's *Moray*, Edit. 1775, p. 75, "several sons." *Reg. Morav.* p. 10, and Nos. 12, 13, 19. See *Records of the Monastery of Kinloss*, p. 112 and *Reg. Morav.*, p. 456 "W. filius Frisekin. Hugo filius ejus." Lohworuora—see Lawrie, *Early Scottish Charters*, pp. 185-6 and 429-30.

[10] See *Lawrie Annals*, p. 389 and *Chron. Mailros*, p. 113. See *Records of Kinloss*, p. 113, "Andreas filius Willelmi Fresekin."

[11] *Reg. Morav.*, No. 1 charter of Skelbo to Gilbert. Hugo grants it "Testibus Willielmo fratre meo, Andrea fratre meo." See also *Reg. Morav.*, p. 43, No. 40, rector of St. Peter's, Duffus, and No. 119, p. 131.

[12] Shaw's *Moray*, edit. 1775, p. 75, and note ante, and p. 407, No. xxviii, "Willelmi filii Willelmi filii Freskini."

[13] Paul, *Scot. Peerage* (Sutherland), quotes Reg. Mag. Sigil. Augt. 1452.

[14] See *Robertson's Index*, p. xix. *O.P.*, ii, p. 543.

[15] *O.P.* II, ii, 655. *Acta Parl. Scot.*, I, p. 606, *Robertson's Index*, p. xxiv.

[16] *Sutherland Book*, vol. iii, p. 1. It may have been hoped that Gilbert would succeed the maimed Bishop John, *Reg. Morav.* p. xxxiii, note.

[17] *Sutherland Book*, vol. iii, p. 2. The tenure was thus by Scottish service of these lands, and so also of Sutherland itself. It was no grant for religious or charitable purposes.

[18] *Reg. Morav.* xxxv, a late marginal note.

[19] Lawrie, *Early Scot. Charters*, pp. 185 and 430, note, which puts the date at 1147-1150. Children, however, did witness charters, and Hugo attests last.

[20] *O.P.*, ii, 486. *Reg. Morav.*, xxxv, note q. Nos. 259, 215, 216; and *O.P.* ii, 482; and as to Freskin's succession, see No. 99 *Reg. Morav.*, p. 113.

[21] *Reg. Morav.* xiii, and No. 211.

[22] See *Early Pedigree of the Freskyns* at the end of this book. See *Reg. Morav.*, p. 89 (No. 80) and p. 133 (No. 121).

[23] This may have happened a year earlier.

[24] Skene, *Celtic Scotland*, vol. i, p. 470, quotes *Will. Newburgh Chron.*, b. 1, c. xxiv. Malcolm was personated by Wemund the monk of Furness. See Note pp. 48-9 of *Viking Society's Year Book*, vol. iv, 1911-2.

[25] Fordun, *Annals 4.* Mackay, *Book of Mackay*, p. 24.

[26] Robertson, *Early Kings*, vol. i, pp. 360-1. As to the name Macheth and Macbeth, see *Scottish Hist. Rev.* 1920-1. We believe the names to be distinct, not identical, Mackay being the son of Aedh, in Gaelic MacAoidh.

[27] Shaw's *Moray*, edit. 1775, p. 391, No. xiv. Innes says Berowald was no Fleming.

[28] See *Viking Club's Year Book*, iv, 1911-12, notes pp. 18-20.

[29] *O.S.* 111. This may be a translation of Loch Glendhu.

[30] *F.B.*, Addenda to *O.S.*, trans. Dasent, Rolls edit.

[31] Charter of St. Gilbert's Cathedral. *Sutherland Book*, vol. iii, p. 3, No. 4. *Robertson's Index*, p. 16. *Reg. Dunfermelyn*, 7. See *O.P.* ii, p. 598. *Dalrymple's Collections*, p. 248.

[32] *Sverri's Saga* (Sephton, pp. 114 to 117), c. 90-93.

[33] *O.P.*, II, ii, pp. 598 and 735. *Lib. Eccles. de Scon*, p. 37, No. 58. Viking Club, *Caithness and Sutherland Records*, p. 2. *(Chron. Mailros)*, *Lawrie's Annals*, p. 257. A penny per house for Peter's Pence was paid in his lifetime, *Viking Club Records*, p. 3, 4; *O.P.* says (p. 598) before 1181.

[34] *The Sutherland Book* quotes this opinion, vol. I, p. 9, and Lord Hailes had special knowledge, see *Annals of Scotland* (Hailes), vol. I, p. 148, anno 1222.

[35] *O.P. Preface*, p. xxi, and pp. 458 and 529; and 413-4.

[36] *Scottish Kings*, Dunbar, p. 80.

[37] *Lib. Pluscard*, xxxvi, 1197-8. *Chron. Mailros*, 1197.

[38] If it were true, as his son Hakon had died in 1171, it would prove the death of Henry of Ross, Harold's eldest son by his first marriage, before 1196. The grandsons would be sons of Harold's daughter.

[39] *O.S.* (Dasent trans.), p. 225. *Torfaeus Orcades*, i, c. 38.

[40] *O.S.* (Rolls Ed.), pp. 226-231. It was nearer, and close to Thurso.

[41] See *Hoveden Chron.*, vol. iv, pp. 10-12, and *Scottish Annals from English Chroniclers*, pp. 316-8. (Alan O. Anderson.)

[42] *O.P.* ii, 803.

[43] Dalharrold afterwards belonged to Johanna of Strathnaver. *Reg. Morav.*, p. 139, No. 126. Pope, *Torfaeus*, trans., Note p. 169. This battle is also said to have been fought by William the Lion himself, not by Reginald Gudrodson.

[44] Only three are named, but six are afterwards referred to. For Pope Innocent's letter see *O. and S. Records*, vol. I, p. 25.

[45] *O.S.*, Dasent, Rolls edit., pp. 228-30. It is not clear that the bishop lived till 1213. See *Two Ancient Records of the Bishopric*, Bannatyne Club, pp. 6 and 7.

[46] He was there when Bishop Adam was murdered in that year.

[47] This is a very large number and hardly credible. It was not 6000. Can Eystein be the Island Stone, the Man of the Ord?

[48] Bain, *Calendar of Documents*, Nos. 321 and 324.

[49] *O.S.*, Rolls edit., p. 230.

[50] *Sverri Saga*, 118, 119, 125.

[51] *Lord Hailes' Addional Case of Elizabeth, claimant of the Earldom of Sutherland*, p. 8, and see Robertson, *Early Kings*, vol. ii, p. 446; App. N. esp. p. 494.

[52] One of the Gordons of Garty in Sutherland.

CHAPTER VIII.

[1] See Peter Clauson Undal's Translation of the lost Inga Saga, *O.S.*, Dasent's trans., Rolls ed., pp. 234-6, from which David and John appear as joint earls in Orkney and Shetland also, on payment of a large sum, only after King Sverri's death.

[2] *O.S.*, Rolls edit., p. 231.

[3] *Scotichronicon*, VIII, clxxvi.

[4] *Fordun Gesta Annal.*, xxviii, *Lawrie Annals*, p. 397, "circa festum S. Petri ad vincula," i.e., Augt. 1, 1214. There is no evidence whatever that her name was Matilda.

[5] *Chron. Mailros*, p. 114; *Lawrie*, p. 395.

[6] *Hakon Saga*, c. 20.

[7] *Do.* c. 45.

[8] *Flatey Book;* Rolls edit., *O.S.* p. 232. *Breithivellir* means Broadfield.

[9] At Skinnet first; then, in 1239, at Dornoch even more worthily and in state.

[10] *Flatey Book;* Rolls edit. *O.S.*, p. 232.

[11] *Province of Cat*, p. 73; see *Wyntoun Chron.*, vii, c. 9.

[12] See *Robertson's Index*, p. xxv.

[13] See *Scottish Annals from English Chroniclers*, Alan O. Anderson, pp. 336-7, where the *Chronicle of Melrose*, 139, (1222) is quoted, Lib. Pluscard, vii, 9.

[14] *Wyntoun Chron.* vii, c. 9.

[15] *Hakon Saga*, c. 86.

[16] *Do.* c. 101. The Iceland Annals prove Harald's drowning.

[17] *Hakon Saga*, c. 162, 165 and 167.

[18] Snaekollr means Snowball. Being largely of Norse blood, he was probably a fair Viking.

[19] *Hakon Saga*, 169.

[20] See Tudor's *Orkney and Shetland*, p. 344 and p. 53, and *Hakon Saga*, 169-171.

[21] *Hakon Saga*, 173.

[22] Not *gydinga*. *Flatey Book*, iii, p. 528; *Torf. Orc.*, ii, p. 163.

[23] Pope, *Torfaeus* (trans.), p. 184, note.

[24] No. 126.

CHAPTER IX.

[1] One daughter married Olaf, who was killed at Floruvagr in battle in 1194, see *O.S.*, Rolls edit., pp. 230-1 (trans.) Dasent.

[2] Notably in Paul's *Scottish Peerage* sub *Angus* and *Caithness.*

[3] Ancestor of the Ogilvies, Earls of Airlie.

[4] *Scots Peerage* (Cokayne & Gibbs), sub *Angus* and *Caithness.* Dalrymple, *Collections*, p. 220.

[5] *Reg. Aberbrothoc*, pp. 163 and 262, 1227, Jan. 16, "Magno filio comitis de Anegus."

[6] Robertson, *Early Kings*, vol. ii, p. 23 (note), who quotes *Reg. Dunfermelyn*, No. 80, *Reg. Morav.* 110; *Lib. Holyrood*, 58, in support.

[7] Shaw, *Moray*, 1775, p. 387, No. iv.

[8] i.e., Malcolm's.

[9] Surely an error for "Gilchrist."

[10] See *Dalrymple's Collections*, 1705, pp. lxxiii-iv, where "North Caithness" is distinguished from Sutherland conjecturally. Probably, however, it was distinguished rather from the southern part of modern Caithness, viz. Latheron and Wick parishes.

[11] This was William de Federeth II, son of Christian, not her husband of the same name.

[12] This was Sir Reginald Cheyne III.

[13] "Gilchrist" not "Gillebride" all through this quotation.

[14] Gilchrist, however, died in 1204.

[15] Not, we think, of Erlend, but of Paul. But South Caithness probably belonged to the Erlend share, i.e., Latheron and Wick parishes.

[16] *Sutherland Book*, vol. 1, p. 12, note.

[17] *Robertson's Index*, p. 62.

[18] *Reg. Morav.*, p. 341. *O.P.*, vol. ii, 709.

[19] Can the Mallard or Mallart be *Abhainn na mala airde*, "the river of the high brow"? Another interpretation, *Abhain na malairte*, "river of the excambion" has been suggested.

[20] Achness—*Ach-an-eas* or the field of the waterfall, old Gaelic *Achanedes.*

[21] Marriages, however, of persons of unsuitable ages were freely made in these old times.

[22] Norse jarldoms were not given to females, but the jarldom of Orkney was, failing sons, given to the sons of daughters of preceding jarls, such as Ragnvald, son of Gunnhild, and Harald Ungi, son of Jarl Ragnvald's daughter.

[23] *Reg. Morav.*, 215, 216; *O.P.*, vol. ii, p. 486.

[24] *O.P.*, ii, p. 482. Euphamia or Eufemia is a Ross family name for centuries. *Reg. Morav.*, p. 333.

[25] *Bain*, vol. 1, year 1258-9.

[26] *St. Andrew's*, pp. 346 and 347; and for the charter see *Reg. Morav.*, p. 138.

[27] *Reg. Morav.*, p. xxxvi. We do not lay stress upon this argument from the endowment of *two* chaplains; but it may import that Freskin died a violent death, unshriven.

[28] We can, however, trace many parts of "Lord" Chen's lands. For they are called the lands of "Lord" Chen in the descriptions in later charters quoted in *Origines Parochiales*, vol. ii, pp. 745 Reay, 749 Thurso, 760 Halkirk, 764 Latheron, 774 Wick, 787-8 Olrig, 790 Dunnet, and 814 Canisbay. His lands in all these parishes were of considerable extent. They included probably the whole modern estate of Langwell and most of the parish of Latheron, and Wick up to Keiss Bay and beyond Ackergill and Riess. In Watten they comprised Lynegar, Dunn, Bilbster, and others: in Halkirk Parish, Sibster, Leurary, Gerston, Baillecaik, Scots Calder, North Calder, and Banniskirk; in Reay Parish, Lybster, Borrowstoun, Forss, and part of Skaill and Brawlbin: in Thurso, Clairdon, Murkle, Sordale, Amster, Ormelie and the Thurso fishings; in Dunnet Parish, Rattar, Haland, Hollandmaik, Corsbach, Ham, and Swiney; while in Canisbay Parish, Brabstermyre, Duncansby, and Sleiklie belonged to Lord Chen. But neither "Lord" Chen nor Johanna ever owned Brawl, the principal seat of the Earls of Caithness; and the Earls of the Angus line had the rest, mainly in Canisbay, Bower, and the northern part of Wick parishes. Johanna did not own any of the Chen lands in the Earldom of South Caithness, which Reginald Chen III acquired after 1340, i.e. the parishes of Latheron and Wick. She probably owned the old parish of Far and Halkirk but not Latheron, though this is erroneously implied in the text.

CHAPTER X.

[1] *Reg. Morav.*, pp. 88, 89, 99, 101, 333. Knighted 1215, was earl in 1226, founded the Abbey of Fearn before 1230, died about 1251.

[2] *Robertson's Index*, p. xxi.

[3] *Hakon Saga*, 245 and 307.

[4] *Genealogie of the Earles*, p. 30, and *Sutherland Book*, vol. ii, p. 3 No. 4; *O.P.*, ii, 647 note. This is not the Cross now standing. See Macfarlane, *Geog. Collections*, vol. ii, pp. 450 and 467, where it is called Ri-crois. The story that Dornoch took its name from the slaying of this Chief with the leg of a horse is quite unfounded, for the name Durnach appears in a charter about a hundred years earlier, and has nothing to do with a "horse's hoof." Its derivation and meaning are alike obscure. Chalmers, *Caledonia*, v, p. 192, gives to Dornock in Dumfriesshire the derivation "Dur-nochd" or the "bare" or "naked water." Its situation is like that of Dornoch, with a wide expanse of tidal sands.

[5] *Sutherland Book*, vol. iii, p. 3, No. 4. See also *Two Ancient Records of Caithness*, Bannatyne Club. The bishop himself was a Canon.

[6] *Genealogie of the Earles*, pp. 6 and 31; *O.P.*, ii, 601.

[7] *Liber Eccles. de Scon*, p. 45, No. 73. Viking Club, *Sutherland and Caithness Records*, No. 8, pp. 12 and 13.

[8] *O.P.*, ii, p. 603. As regards the marriage of Iye Mor Mackay to the daughter of Walter de Baltroddi (Bishop), see *Book of Mackay*, p. 37.

[9] *Hakon Saga*, 312, 314.

[10] *Do.* 317.

[11] *Sutherland Book*, vol. i, p. 15. *Genealogie of the Earls*, p. 33.

[12] *Hakon Saga*, 319.

[13] *Hakon Saga*, 318. As to the hostages and their expenses see *Compot. Camer.* 1-31. From additions to *Hakon's Saga*, Rolls edition, it appears that Caithness was also fined and an army sent there by the king of Scotland with a view to the conquest of Orkney.

[14] *Hakon Saga*, 319. The calculation was made by Sir David Brewster.

[15] Also called Port Droman. Possibly Hals-eyar-vik = neck-island-bay.

[16] *Hakon Saga*, 318.

[17] *Hakon Saga*, 327.

[18] There is a tradition that Hakon slaughtered cattle on Lech-vuaies, a rock in Loch Erriboll.

[19] *Hakon Saga*, 328-331. Goafiord—Eilean Hoan at the entrance to Loch Erriboll still retains the name.

[20] See Tudor, *Orkney and Shetland*, p. 307. What happened to Earl Magnus III, who in July 1263 had been obliged to join his overlord, King Hakon, and sail with him from Bergen? The Orkneymen were far from Norway, but dangerously close to Scotland. Their jarl had large possessions in Caithness, which he feared to lose if he made war on the Scottish king. Magnus therefore "stayed behind" in Orkney, and never went to Largs, but probably went to the Scottish king. Caithness first suffered from levies of cattle and provisions at the hands of Hakon, and afterwards from fines levied and hostages taken by the Scottish King, who sent an army, no doubt under the Chens and Federeths and others, to threaten Orkney and hold Caithness and levy the fine. Dugald, king of the Sudreys, intercepted the fine, and disappeared. Orkney had a Norse garrison, and the Scottish army never went to Orkney, Magnus was reconciled to Alexander III, and after the Treaty of Perth, in 1267, was reconciled also to King Magnus of Norway, on terms that he should hold Orkney of him and his successors, but that Shetland should remain a direct appanage of the Norse Crown, as it had been ever since Harold Maddadson's punishment in 1195. (See Munch's *History of Norway;* and *Torfaeus Orcades*, p. 172; and *King Magnus Saga*, Rolls edition of *Hakon's Saga*, pp. 374-7).

CHAPTER XI.

[1] *Scandinavian Britain*, p. 62. To Orkney and Shetland they came mainly from the fjords north of Bergen.

[2] *Oxford Essays*, 1858, p. 165, Dasent, an admirable account of the Norsemen in Iceland.

[3] *Hume Brown*, *History*, ante.

[4] *Scandinavian Britain*, p. 35.

[5] See *Norse Influence on Celtic Scotland* (Henderson), *passim;* and *Sutherland and the Reay Country*, (Rev. Adam Gunn), chapter on "Language," p. 172.

[6] Viking Club, *Old Lore Miscell.* vol. ii, 213; vol. iii, 14, 182, 234.

[7] See *Burnt Njal*, (Dasent) for a plan and elevation of a Skali. Skelpick may be Skaill-beg, or Little Hall.

[8] *Ruins of Saga-time* (in Iceland) by Thorsteinn Erlingson, David Nutt (1899).

[9] See his *Essay* with plans in the *Saga Book of the Viking Club*, vol. iii, pp. 174-216.

[10] i.e. Broadfield; see *O.S.*, Rolls edition, p. 232, formerly Brathwell.

[11] Mousa in Shetland was twice so used, by two honeymoon pairs. See Tudor, *O. and S.*, p. 481.

[12] *O.P.*, vol. ii, 758.

[13] *O.S.*, 84, 100 and 22; 58, 78, 100, 101, 102, 113, and pp. 226, 227, 228, in Rolls edition. Hjalmundal is the strath, not the village of Helmsdale.

[14] We find in Latheron in Caithness "Golsary" the shieling of Gol. Platagall, see *O.P.*, ii, p. 680.

[15] The bodily form often follows that of fathers of a fair race, it is said.

[16] See p. 21.

[17] Frontispiece to vol. 1 of Du Chaillu's *Viking Age*.

[18] See *Scotland in Early Christian Times*, Dr. Joseph Anderson's *Rhind Lectures* in 1879, pp. 141-2; *Scandinavian Britain*, p. 29.

[19] *Saga of Erik the Red* and *St. Olaf's Saga*. See *Orig. Islandicae*, vol. ii, Bk. v, pp. 588-756 "Explorers."

[20] Yet see the Romance of *Guillaume le Roi*, Chroniques Anglo-Normandes, vol. iii, Francisque Michel.

[21] As witness the Seaforths (Sæ-fjorthr) of the 51st Division in France.

[22] Vol. 1, p. 45. See also Burton's *History of Scotland*, vol. i, chapter xi, and vol. ii, pp. 14 and 15.

APPENDIX

APPENDIX.

EARLY PEDIGREE OF THE FRESKYNS.

FRESKYN I

of Strabrock and Duffus, b. about 1100, was granted Duffus about 1130; entertained David I in 1150 there; died between 1166 and 1171.

(1) William MacFrisgyn, Grantee of Strabrock, Duffus, &c., *"quas terras pater suus Friskin tenuit tempore regis David,"* 1165-1171. Witnessed Charter of Innes to Berowald the Fleming about 1160.

(2) Hugo Fresechin witnessed the Charter of Lohworuora Church (Borthwick) to Herbert, Bishop of Glasgow before 1152, *(Hug. filio Fresechin).*

(1) Hugo Freskyn of Sutherland, whose father was William, son of Freskin, died before 1214.

(2) William filius Willelmi filii Freskin, who calls Hugo his lord and brother, was Lord of Petty, Bracholie, Boharm and Artildol: d. before 1226.

(3) Andrew, parson of Duffus.

(1) William *dominus Sutherlandiae, filius et heres quondam Hugonis*, cr. first Earl after 1237, died 1248.

(2) Walter de Moravia b. ? d. before 20th March 1248, of Duffus, buried there with his father Hugo 'beatus,' m. Euphamia, d. of Ferchar Macintagart, Earl of Ross, circa 1224.

(3) Andrew, Bishop of Moray.

Walter de Moravia de Petty, guardian of King Alexander III and his Queen, 1255.

William, 2nd Earl of Sutherland, 1248-1307.

Freskinus II, who had a "proavus et attavus" in Moray and was *nepos* (grandson) Hugonis, m. Lady Johanna of Strathnaver. He was born (?) about 1225, Lord of Duffus by 1248, d. 1262-3 (Ch. 99 *Reg. Morav.*)

Walter dominus de Bothwell, m. d. of John Cumyn, d. circa 1294.

William, Third Earl of Sutherland, 1307-1327.

Kenneth, Fourth Earl of Sutherland, 1327-1333, fell at Halidon Hill.

(1) Mary of Duffus, m. Reginald Chen II.

(2) Christian, m. William de Federeth I.

William, d.s.p.

Andrew.

Reginald Chen III "Morar na Shein" had half Caithness, one quarter by grant.

William de Federeth II granted one quarter of Caithness to Reginald Chen III.

Sir Andrew Bothwell, Wardane of Scotland, d. 1338.

John of Abercairney.

William Fifth Earl of Sutherland, 1333.

Nicolas of Torboll

m. Mary of Duffus

Marjory m. 1 Sir John Douglas m. 2 Sir John Keith of Inverugie

(For rest of pedigree see Sutherland Book.

Whence the Duffus Family and Peerage. (For rest of pedigree see Sutherland Book.)

Andrew Keith of Inverugie.

NOTE.—William MacFrisgyn is said by Shaw in his History of Moray, 1775 edit., p. 75, to have had several sons, viz.:—Hugo of Sutherland, (2) Sir John (whence the Atholl family), (3) William of Petty, (4) Sir John of Moray (whence Abercairney), (5) Andrew, Bishop of Moray, (6) Gilbert, Bishop of Caithness, and (7) Richard of Culbin: *sed quaere.*

INDEX

INDEX.

N.B.—All these Freskyns' name was de Moravia, not Freskyn.—J. G.